



City of Petersburg Virginia

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May 17, 2022 - Regular City Council Meeting

May 17, 2022
Petersburg Public Library
201 West Washington Streeter
Petersburg, VA 23803
5:00 PM

City Council

Samuel Parham, Mayor – Ward 3
Annette Smith-Lee, Vice-Mayor – Ward 6
Treska Wilson-Smith, Councilor – Ward 1
Darrin Hill, Councilor – Ward 2
Charlie Cuthbert, Councilor – Ward 4
W. Howard Myers, Councilor – Ward 5
Arnold Westbrook, Jr., Councilor – Ward 7

Interim City Manager

Kenneth Miller

-
1. **Roll Call**
 2. **Prayer**
 3. **Pledge of Allegiance**
 4. **Determination of the Presence of a Quorum**
 5. **Proclamations/Recognitions/Presentation of Ceremonial Proclamations**
 - a. A proclamation designating May 2022 as Business Appreciation Month. (page 4)
 - b. A proclamation designating May 15-21, 2022 as National Public Works Week in the City of Petersburg. (page 7)
 6. **Responses to Previous Public Information Posted**
 7. **Approval of Consent Agenda (to include minutes of previous meetings):**
 - a. Minutes: (page 9)
 - April 28, 2022 - Closed Session Meeting Minutes
 - May 3, 2022 - Work Session Meeting Minutes
 8. **Official Public Hearings**
 - a. A public hearing on the consideration of an appropriation for the fiscal year commencing on July 1, 2021 & ending on June 30, 2022, for the American Rescue Plan Act Loss Revenue Appropriation (\$3,925,000.50). (page 27)
 - b. A public hearing on the consideration of authorizing the City Manager to execute a Deed of Utility Easement, including compensation in the amount of \$2,034.72, on behalf of the City of Petersburg for the purpose of acquiring a utility easement on property located at 1546 Baxter Road, Prince George, VA 23875 as part of the Prince George Water System Interconnection project. (page 29)
 - c. A public hearing on the consideration of an Ordinance Amending the City's Zoning Ordinance to permit Micro-Brewery, Micro-Cidery and Micro-Winery in the B-1 Zoning District. (page 99)

- d. A public hearing to consider an ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Coastal Virginia Development towards the sale of City-owned property at 1024 Eighth Street, Parcel ID: 013-230004. (page 109)
- e. A public hearing for Petersburg City Public School's FY22-23 Budget (page 133)
- f. A public hearing and consideration of an Ordinance approving amendments to the Comprehensive Plan to comply with the Chesapeake Bay Preservation Act. (page 136)
- g. A Public Hearing and consideration of an Ordinance Amending the City's Zoning Ordinance to permit Micro-Brewery, Micro-Cidery and Micro-Winery in the B-1 Zoning District. (page 324)
- h. A Public Hearing and consideration of an Ordinance authorizing the vacation of Right of Way along River Street between 3rd Street and 5th Street. (page 332)
- i. A public hearing for the purpose of considering an ordinance to authorize the City Attorney to proceed with condemnation of a portion of parcel 065-110004, 2793 South Crater Road. (page 336)

9. Public Information Period

A public information period, limited in time to 30 minutes, shall be part of an Order of Business at each regular council meeting. Each speaker shall be a resident or business owner of the City and shall be limited to three minutes. No speaker will be permitted to speak on any item scheduled for consideration on the regular docket of the meeting at which the speaker is to speak. The order of speakers, limited by the 30-minute time period, shall be determined as follows:

- a. **First, in chronological order of the notice, persons who have notified the Clerk no later than 12:00 noon of the day of the meeting,**
- b. **Second, in chronological order of their sign up, persons who have signed a sign-up sheet placed by the Clerk in the rear of the meeting room prior to the meeting removed from consent agenda**

10. Business or reports from the Mayor or other Members of City Council

11. Items removed from Consent Agenda

12. Finance and Budget Report

13. Unfinished Business

- a. A Resolution authorizing the City Manager to Execute the Performance Agreement between the City of Petersburg, City of Petersburg Economic Development Authority and Tabb Street Development, LLC. (page 393)

14. New Business

- a. Consideration of appointment to the Petersburg Redevelopment and Housing Authority. (page 407)
- b. Consideration of approval to extend the lease agreement for one year (June 1, 2022 - May 31, 2023) for a total amount of \$407,385.60 (\$33,948.80 monthly) between P & P Associates, LLC and the City of Petersburg for the property located at 3811 Corporate Road, Petersburg, VA 23803. (page 410)
- c. Consideration and approval of the installation of STOP Signs at 10 intersections. Nine of the intersections do not require a traffic study and will be installed by July 31, 2022. The remaining intersection (S. Sycamore St. & Fillmore St.) requires a traffic study due to the intersection being located on a state road and will be installed by October 15, 2022. (page 414)

- d. Consideration to extend the Petersburg Preservation Task Force Memorandum of Understanding. (page 419)
- e. Consideration of a resolution authorizing the City Manager to amend the development agreement between the City of Petersburg and Amanda Green for the property at 301 Rolfe Street, parcel ID 022-150801 to remove the clause that prohibits the property to be subdivided. (page 429)

15. City Manager's Report

16. Business or reports from the Clerk

17. Business or reports from the City Attorney

18. Adjournment



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Brian Moore

RE: A proclamation designating May 2022 as Business Apprecation Month. (page 4)

PURPOSE:

To adopt a Proclamation acknowledging the observance of Business Appreciation Month during the month of May 2022 in accordance with the anticipated designation from the Commonwealth of Virginia.

REASON:

To acknowledge and express appreciation for Businesses in Petersburg who support the local economy and help sustain a higher quality of life in our community by providing goods, services, and employment opportunities.

RECOMMENDATION:

Recommend City Council adopt the attached proclamation.

BACKGROUND:

The City has observed Business Appreciation Month since State observance began. In so doing, the City will highlight and host an event in May that acknowledges and celebrates the contributions of local businesses in the Petersburg community.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 5/17/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Business Appreciation Month 2022

Office of the Mayor

Petersburg



Virginia

Proclamation

WHEREAS, May 2022, is Business Appreciation Month in our Commonwealth of Virginia, and call this observance to the attention of all our citizens; and

WHEREAS, the proclamation is an effort to highlight Virginia’s Business Community, the foundation of our State’s economy; and

WHEREAS, the proclamation is made to recognize and celebrate those companies that anchor communities through Virginia; and

WHEREAS, Virginia is consistently chosen by businesses for its talented workforce, education system, central East Coast location, and advanced infrastructure; and

WHEREAS, the Commonwealth recognizes the accomplishments of its small businesses, major employers, and entrepreneurs all of whom contribute greatly to building and sustaining Virginia’s economy; and

WHEREAS, the City of Petersburg recognizes and expresses appreciation for the Businesses in Petersburg who make up the local economy and provide employment opportunities to the City’s residents; and

WHEREAS, the diverse array of industries Petersburg businesses provide goods, services locally, throughout the Commonwealth of Virginia, and world-wide.

NOW, THEREFORE, I, Mayor Samuel Parham, by virtue of the authority vested in me by the City of Petersburg, do hereby proclaim the month of

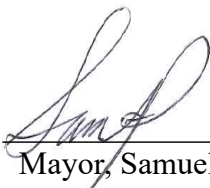
May 2022

As

“BUSINESS APPRECIATION MONTH”

in the City of Petersburg and urges all citizens to support local businesses throughout the month and into the future.

Dated: 05/17/2022



Mayor, Samuel Parham

ATTEST:
_____ Clerk of Council, Nykesha D. Jackson



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Randall Williams

RE: A proclamation designating May 15-21, 2022 as National Public Works Week in the City of Petersburg. (page 7)

PURPOSE:

REASON:

RECOMMENDATION:

BACKGROUND:

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. 20220509083330411



Proclamation

WHEREAS, public works services provided in our community are an integral part of our citizen's everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, street and highways, public buildings, and solid waste collection; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people's attitude and understanding of the importance of the work they perform; and

WHEREAS, the public works department has the following accomplishments: Construction completed all ADA ramps and paving of E Wythe Street; Stormwater Management completed the North Park Drive drainage and the Permeable Paver Project; Street Operations and Right-of-Way program repaired 2,217 potholes throughout the City, repaired six (6) storm drain, paved over nine (9) streets and repaired asphalt on four (4) streets, and issued approximately \$150k in notices; Capital Improvement completed the renovation of Hustings Court and Exit 52, Facilities Maintenance completed Social Services' lobby renovations and the elevator at Hustings Court; Public Utilities has replaced 90% of the remaining cubic ft. meters, repaired 91 water main leaks, maintained 100% compliance with Safe Drinking Water Act, replaced approximately 500 ft. of sewer line and repaired 126 sewer collapses;

NOW, THEREFORE, I, **Samuel Parham**, by virtue of the authority vested in me as Mayor of the City of Petersburg, do hereby proclaim

May 15-21, 2022

as

"NATIONAL PUBLIC WORKS WEEK"

in the City of Petersburg, and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

Dated: May 17, 2022





Mayor

ATTEST



Clerk of Council



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM:

RE: Minutes: (page 9)
-April 28, 2022 - Closed Session Meeting Minutes
-May 3, 2022 - Work Session Meeting Minutes

PURPOSE:

REASON:

RECOMMENDATION:

BACKGROUND:

COST TO CITY:

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. April 28, 2022 Closed Session Meeting Minutes
2. May 3, 2022 Work Session City Council Meeting Minutes

The Closed Session Meeting of the Petersburg City Council was held on Thursday, April 28, 2022, at the Petersburg Public Library. Mayor Parham called the Closed Session Meeting to order at 12:00p.m.

1. ROLL CALL:

Present:

Council Member Charles H. Cuthbert, Jr
Council Member Treska Wilson-Smith
Council Member W. Howard Myers
Council Member Arnold Westbrook, Jr.
Vice Mayor Annette Smith-Lee
Mayor Samuel Parham

Absent: Council Member Darrin Hill

Present from City Administration:

Clerk of Council Nykesha D. Jackson
City Attorney Anthony Williams
Interim City Manager Kenneth Miller

2. CLOSED SESSION:

Mayor Parham stated, "We need to add an item to closed session. So, I will entertain a motion to add pursuant to §2.2-3711(A)(7) for the purpose of consultation with legal counsel regarding the subject of the requirements of 58.1-3981 of the Code of Virginia and Section 27-8 of the City Code."

Vice Mayor Smith-Lee made a motion to add pursuant to §2.2-3711(A)(7) for the purpose of consultation with legal counsel regarding the subject of the requirements of 58.1-3981 of the Code of Virginia and Section 27-8 of the City Code. Council Member Myers seconded the motion. There was no discussion on the motion, which was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Smith-Lee, and Parham; Absent: Hill

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(1) of the Code of Virginia for the purpose of discussion pertaining to performance, assignment, and appointment of specific public employees of the City of Petersburg, specifically including but not limited to discussion of the performance and appointment of specific public officer of the City of Petersburg and 2.2-3711(A)(7) for the purpose of consultation with legal counsel regarding the subject of the requirements of 58.1-3981 of the Code of Virginia and Section 27-8 of the City Code.

Council Member Myers made a motion that the City Council go into closed session for the purposes noted. Vice Mayor Smith-Lee seconded the motion. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Smith-Lee, and Parham; Absent: Hill

City Council entered closed session at 12:05 p.m.

CERTIFICATION:

Mr. Williams stated, "The Mayor would entertain a motion to conclude the closed session called this

*Audio available upon request.

evening to certify in accordance with §2.2-3712 that the Code of Virginia that to the best of each members knowledge that only public business matter lawfully exempted from the opening meeting requirements were discussed and that only such public business matters were identified in the motion by which the closed meeting was convened, heard, discussed, or considered. If any member believes that there was a departure from the foregoing requirements should so state prior to the vote indicating the substance for departure that in his or her judgment has taken place. This requires a roll call vote Mr. Mayor.”

Council Member Cuthbert made a motion to return City Council into open session and certify the purposes of the closed session. Council Member Wilson-Smith seconded the motion. There was no discussion on the motion.

The motion was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, and Parham; Absent: Hill

22-R-27 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER’S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

City Council returned to open session at 12:45 p.m.

3. ADJOURNMENT:

City Council adjourned at 12:45 p.m.

Clerk of City Council

APPROVED:

Mayor

The work session meeting of the Petersburg City Council was held on Tuesday, May 3, 2022, at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:04 p.m.

1. ROLL CALL:

Present:

Council Member Charles H. Cuthbert, Jr.
Council Member Treska Wilson-Smith
Council Member W. Howard Myers
Council Member Arnold Westbrook Jr.
Council Member Darrin Hill
Vice Mayor Annette Smith-Lee
Mayor Samuel Parham

Absent: None

Present from City Council Administration:

Clerk of City Council Nykesha D. Jackson
Interim City Manager Kenneth Miller
City Attorney Anthony C. Williams

2. PRAYER:

Mayor Parham stated, "Council Member Hill will lead us in our opening prayer."

Council Member Hill led the council meeting in prayer.

3. PLEDGE OF ALLEGIANCE:

Mayor Parham led council and the citizens in the pledge of allegiance.

4. DETERMINATION OF THE PRESENCE OF A QUORUM:

A quorum is present of all city council members.

5. APPROVAL OF CONSENT AGENDA (TO INCLUDE MINUTES OF PREVIOUS MEETING/S):

a. Minutes:

-April 19, 2022 – Closed Session Meeting
-April 19, 2022 – Regular City Council Meeting

b. A request to schedule a public hearing for May 17, 2022, for the purpose of considering an ordinance to authorize the City Attorney to proceed with condemnation of a portion of parcel 065-110004, 2793 South Crater Road.

c. A request to schedule a public hearing for May 17, 2022, for the purpose of authorizing the City Manager to execute a Deed of Utility Easement, including compensation in the amount of \$2,034.72, on behalf of the City of Petersburg for the purpose of acquiring a utility easement on property located at 1546 Baxter Road, Prince George, VA 23875, as part of the Prince George Water System Interconnection project.

d. A request to schedule a public hearing and consideration of an ordinance approving

*Audio available upon request.

amendments to the Comprehensive Plan to Comply with the Chesapeake Bay Preservation Act.

- e. A request to schedule a public hearing and consideration of an ordinance amending the City's Zoning Ordinance to permit Micro-Brewery, Micro-Cidery and Micro-Winery in the B-1 Zoning District and include Article 3 Section 1 of the Petersburg Zoning Ordinance "Definitions" use regulations amended and re-adopted to include a building of premises may only be used for the following: (1) Retail sale of merchandise, services, recreational areas, parking areas and other facilities, as set forth and described in this section and ordinarily accepted as shopping center uses; (2) uses permitted in the project area, according to the residential district regulations in force prior to the establishment of the shopping center district on the tract in question as the only alternative in case the district is not used for the purpose for which it was especially intended, namely a shopping center; and (3) A Micro-Brewer, Micro-Distillery, Micro-Meadery, Micro-Winery and/or Micro-Cidery.
- f. A request to schedule a public hearing and consideration of an ordinance authorizing the vacation of Right of Way along River Street between 3rd Street and 5th Street.
- g. A request to schedule a public hearing on May 17, 2022, to consider an ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Coastal Virginia Development towards the sale of City-owned property at 1024 Eighth Street, Parcel ID: 013-230004.
- h. A request to schedule a public hearing for Petersburg City Public School's FY22-23 Budget – 1st Reading
- i. Consideration of an appropriation of the American Rescue Plan Act (ARPA) – Group Violence Intervention Grant - \$300,000 – 1st Reading
- j. A request to schedule a public hearing on the consideration of an ordinance to amend and re-adopt Section 74-1 of the Petersburg City Code regarding curfew for minors.

There was discussion among City Council and staff on the public hearing request for item "5g"?

Council Member Hill made a motion to approve the consent agenda. Vice Mayor Smith-Lee seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, Smith-Lee, and Parham

6. SPECIAL REPORTS:

*There are no items for this portion of the agenda.

7. MONTHLY REPORTS:

*There are no items for this portion of the agenda.

8. FINANCE AND BUDGET REPORT:

Stacey Jordan, Finance Director, gave an update on the city finances.

Key points:

*Audio available upon request.

- The city has cash inflows of \$15 million dollars and outflows of \$10.8 million dollars for the month of March.
- The average cash position for the month of March is \$46,517,190.
- They are working on the budget actuals for March 31st. So far for the general fund the city has received \$59 million dollars and \$48 million in expenses.

Mayor Parham stated, "Next, under the finance and budget report I would like to entertain a motion to suspend the Rules of Council and to add a resolution to refund real personal property and business license taxes. So, I first would entertain a motion to suspend the rules."

Council Member Myers made a motion to suspend the Rules of Council. Council Member Hill seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, Smith-Lee, and Parham

Mayor Parham stated, "At this time, I would like to add to tonight's agenda resolution to refund real, personal property and business license tax."

Council Member Myers made a motion to add a resolution to refund real, personal property and business license tax. Council Member Hill seconded the motion. The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, Smith-Lee, and Parham

Council Member Cuthbert made a motion to approve the resolution to refund real, personal property and business license tax. Council Member Hill seconded the motion.

Mayor Parham opened the floor for public comments.

Seeing no hands, Mayor Parham closed the public comments.

The motion was approved on roll call. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, Smith-Lee, and Parham

22-R-28 A RESOLUTION TO REFUND REAL, PERSONAL PROPERTY AND BUSINESS LICENSE TAXES.

9. CAPITAL PROJECTS UPDATE:

a. Capital Projects Update

Randall Williams, Interim Director of Public Works and Utilities, gave an update on the capital projects.

Key points:

- Southside Depot – Canceled and will be rebidding the Southside Depot Contract after the bid came in. It is \$1 million dollars over current funding amount and \$1.3 million including additions.
- St. Andrews Street Bridge Replacement – Contractor is working to remedy inspection item. There is a two-month lead on bearing pad shims. It is expected to open August 2022.
- LED Replacement Project (Dominion) – This is on Pocohontas Island. There are miscellaneous work orders, and it is expected to be completed Summer 2022. There is a minimum of nine weeks for the material for the lights.
- Poor Creek Wastewater Improvement & Water System Improvements – The grant application was submitted to US Economic Development Administration. The Congressionally Directed

*Audio available upon request.

Spending applications were submitted to US Senate. The bid documents are next for the design phase.

- Citywide Drainage Study – Oral presentation and the project is expected to kickoff before the summer. It is expected to be completed June 2022. The high impact areas will be prioritized and developed into the project first.

Council Member Cuthbert stated, “Revisit Poor Creek with us again. What is the dollar amount of the grant application that has been submitted to the US Economic Development Administration?”

Mr. Williams stated, “I want to say that it was around \$30 million dollars.”

Council Member Cuthbert stated, “Any insight on where we are?”

Mr. Miller stated, “Ms. Williams has that information.”

Joanne Williams, Director of Communications, Marketing & Government Relations, stated, “Thank you. I have been working on that project. It is \$26 million. We have a meeting about it tomorrow. So, it is coming down to the final stages. We are optimistic. But the check needs to be in the bank.”

Council Member Cuthbert stated, “Yes, it does. All right, well that is great. Do we have our congressional representatives involved or is that not appropriate?”

Ms. Williams stated, “They are involved. They have all written letters of support. If you want a quick run down about Poor Creek. We have \$2.4 million that we received from Congressman McEachin. We have to match \$600,000. We have a \$20 million budget amendment request. And then this grant.”

Council Member Cuthbert stated, “That is great. Let’s talk about the \$20 million for a moment. That is through the State budget is that correct?”

Ms. Williams stated, “Yes, budget amendment. It was approved by the House and Senate. It has to get through the conferees and then it is signed by the Governor.”

Council Member Cuthbert stated, “And what is the timetable on that? Is it June 30th? Don’t the State have to have a budget by end?”

Ms. Williams stated, “They are supposed to. But we do not know.”

Council Member Cuthbert stated, “So, that is kind of the back stop date. It may be sooner than that?”

Ms. Williams stated, “Yes, sir.”

Council Member Cuthbert stated, “It ought not be until July before we know.”

Ms. Williams stated, “I hope not because it effects a lot of other things other than Poor Creek.”

Council Member Cuthbert stated, “That is great.”

Ms. Williams stated, “And then we have a \$10 million dollar amount that was approved in the General Assembly in 2021. It triggers July 1st. We have met all of the criteria for receiving that. Right now, Virginia Economic Development is working with the pharmaceutical complex to make sure that they have qualified or met all of the job requirements.”

*Audio available upon request.

Council Member Cuthbert stated, "Is there anything else that we can be doing in tandem while we are waiting for the award of these grants."

Ms. Williams stated, "Yes. One of the requirements for the \$10 million dollars is that we apply for loans. So, we have applied from the Virginia Health Department for water around \$17 million. And for DEQ for around \$17 million. Those are in the final stages just in case we do not get the grants."

Council Member Cuthbert stated, "Alright, great. And do we have shovel ready construction drawings?"

Ms. Williams stated, "They are working on the RFP right now for design and environmental."

Council Member Cuthbert stated, "Alright. I am just trying to anticipate bottlenecks that we are going to run into."

Ms. Williams stated, "The total project right now as of March 15th is \$36 million dollars. So, we know, and we have a timeline. Design and environmental will probably take a year and a half. Then we have to go to actually shovels in the ground. Which will take about two years. We are at 2026 for completion."

Council Member Cuthbert stated, "I look forward to the ribbon cutting. And let's hope that water flows on the day of the ribbon cutting."

Ms. Williams stated, "It is water and sewer."

Council Member Cuthbert stated, "Thank you."

10. UTILITIES:

*There are no items for this portion of the agenda.

11. STREETS:

a. Pothole Blitz & Litter Pickup Update

Randall Williams, Interim Director of Public Works and Utilities, gave an update on the pothole blitz and litter pickup.

Key points:

- There were about 1,900 potholes done during the blitz which averages 372 a week.
- There are some roads that are bad.
- Citywide Cleanup is on May 14, 2022. It will consist of community volunteers and city staff. There will also be Fort Lee soldiers helping and the trolleys will be available as well. There are six container sites at Cool Springs Elementary, Pleasants Lane, Peabody, Pittman, Blandford School, and Legends Park.
- There will be message boards and information posted on social media.
- City has approval from VDOT to clean up some of exit ramps.

There was discussion among City Council and staff.

b. Discourage Speeding Update

*Audio available upon request.

Randall Williams, Interim Director of Public Works and Utilities, and Deputy Police Chief Emmanuel Chambliss, gave an update on speeding.

Mr. Miller stated, "The questions that council was looking for was the answers to question (1) and (2) with respect to the cost of installing those lights. Mr. Williams can you give council the numbers that you have questions one and two please?"

Mr. Williams stated, "It is \$565,000 for each of the lights. It would take about 14 months for construction from beginning to end."

Mr. Miller stated, "The days of putting a light and wire up are gone. Because of wind, the weather, and the light it requires a long arm post. And all that combined is where you get the \$500,000 cost."

Mr. Williams stated, "Number three may fix itself. On Sycamore and Fillmore Street, this was designated as a state road. So, a study would have to be done. A study could be done prior to October for South Sycamore and Fillmore Street."

Council Member Wilson-Smith stated, "Who would do the study and for how much?"

Mr. Williams stated, "The study would be about \$5,000 and it would be Kimley Horne who the city already as a contract with to do these. The other nine did not require a study. And the stop signs can be put up at those intersections by mid-July."

Council Member Wilson-Smith asked, "How much?"

Mr. Williams stated, "\$56,000 as a total. And we have checked our inventory and we have the signs and there is only one thing that we do not have and that has been ordered already. We have some brackets that we do not currently have but we have ordered them. But everything else we have enough to do these installs."

Council Member Wilson-Smith stated, "So, would the brackets make the \$56,000?"

Mr. Williams stated, "It is included in there."

Council Member Cuthbert stated, "Thank you Mr. Mayor. As I recollected, council directed the city manager to install the stop signs 4b-4j and table 4a until tonight's meeting. Is my memory correct?"

Mayor Parham stated, "I think we passed the first page and the second page we tabled."

Council Member Cuthbert stated, "This is the first page. Help us Mr. Miller."

Mr. Miller stated, "There was a question on 4a with respect to when it can be done. There was a question on items 1 and 2 on cost. And there was a motion made for the second page with respect to come back and address those questions today sir."

Council Member Cuthbert stated, "As you understand it Mr. Miller, at our last council meeting council directed the city manager to proceed with the installation of stop signs for 4a-j or do we need a motion now?"

Mr. Miller stated, "We need a motion now. There was a question as to when we could do it and we just need the authorization today sir."

*Audio available upon request.

Council Member Cuthbert stated, "We cannot make a motion today."

Mr. Miller stated, "I think that we are past the motion stage. I just think that we are correcting some things that we had last time."

Council Member Cuthbert stated, "I understand. I am wondering if the light is green for installing those stop signs for 4b-j or is the light orange or is the light red."

Mr. Miller stated, "With staff the light is green, and we are ready to move forward."

Mayor Parham stated, "I am going to restate the motion from the last meeting from Councilwoman Wilson-Smith. She made a substitute motion to approve the motion and omit one and two and omit one at the bottom of the page and table page two and report back on May 3. And it was approved."

Council Member Cuthbert stated, "What did we do about everything else?"

Mayor Parham stated, "And this was the report back for page two."

Council Member Cuthbert stated, "4b-4j on page one. I thought that was approved at our last meeting."

Mayor Parham stated, "Yes. It was approved. We are good for that."

Mr. Miller stated, "And Mr. Williams answered the question saying that he can have them in by July."

Council Member Cuthbert stated, "That is great. Now, I suppose then, what is the status of 4a?"

Mr. Miller stated, "Mr. Williams just spoke about that with respect to getting the track study."

Council Member Cuthbert stated, "Understand. Do you need anymore authorization from us or direction from council Mr. Miller to do that study and then after the study install the signs?"

Mr. Miller stated, "That might be a motion at the next meeting."

Council Member Cuthbert stated, "Okay. I understand that. That makes sense. Well Mr. Mayor if you would put that on the agenda for our May 17th meeting to direct the city manager to install the stop signs in 4a before October. Is that what we are saying? Things get squishy here."

Mr. Williams stated, "By mid-October."

Mayor Parham stated, "And if you all can that specific motion sent to us so we can add that to the agenda for clarity. You can send it to Ms. Jackson."

Council Member Cuthbert asked, "Are you looking to me or the city manager?"

Mayor Parham stated, "The city manger and also Mr. Williams. Put the dates for those things."

Council Member Cuthbert stated, "I guess that gets us to the second page."

Council Member Wilson-Smith asked, "The \$56,000 will come from what line item?"

Mr. Williams stated, "That will come from street operations."

*Audio available upon request.

Council Member Cuthbert stated, "I think that we are looking to the city manager and staff for recommendations as to these items."

Mr. Miller stated, "Item 1, in researching with myself and speaking with the city attorney, Mr. Cuthbert you were right. Code 46.2-878.2 gives us that authority. But in doing research it requires 75% of the frontal residency that live on a particular street that we select to come before council and do a petition or documentation or police because of their intervention. Or their workings on a particular street to get us through number one if that is council pleasure."

Council Member Cuthbert stated, "Help me with that. I understood the citizens come before council, but a petition will do. Is that right?"

Mr. Williams stated, "It actually calls for either a petition of 75% of the people fronting that street to support it or you can have a report from your police chief saying that safety issues require that it be done. So, you can have either or to initiate the process. And that is found in 110-11 in the City Code."

Council Member Cuthbert stated, "So, the City Code already recognizes that we cannot do this."

Mr. Williams stated, "Yes, it has a process spelled out how to do this and that is the first step."

Council Member Cuthbert stated, "What was that Code Section again?"

Mr. Williams stated, "110-11."

Council Member Cuthbert stated, "So, that gets us past one. We are talking about item two on page two."

Mr. Miller stated, "Yes. And that requires an engineering study or an engineering investigation to move forward with it. But council can also direct me for a temporary time period of no more than 60 days to changes speeds as well."

Council Member Cuthbert stated, "Mr. Mayor, this is a work session, and I am ambivalent as to whether two is a good idea or not a good idea. Would it be appropriate to discuss that now?"

Council Member Hill stated, "I think that Treska Wilson-Smith said something at the last meeting when we were discussing this. All throughout the country I think that most young people learn 25mph. Not saying that they cannot see the 20 but I think that is going to be difficult there to be honest with you. I can ride my bike 25mph going down a hill. You drop it down five miles, I do not know if that is going to make a big difference. But whatever the pleasure of council is. But I am just speaking realistically."

Council Member Cuthbert stated, "Mr. Mayor, is there any more discussion?"

Council member Wilson-Smith stated, "How much would an engineering study or investigation cost us."

Mr. Williams (Randall) stated, "Probably about \$3,000."

Council Member Cuthbert stated, "Thank you Mr. Williams, thank you Mr. Mayor, thank you Council Member Hill, and thank you Mrs. Treska Wilson-Smith. I am ready to go to number three."

Mr. Williams gave an update on item three on the list.

*Audio available upon request.

There was discussion among City Council and staff.

Mayor Parham stated, "This is on page two. So, we have to add it to the May 17th meeting, whatever motions that we want to carry out to work through each one."

There was discussion among City Council.

Chief Chambliss stated that there is currently one traffic officer that is dedicated within the City of Petersburg.

Council Member Cuthbert stated, "Mr. Miller, what is the recommendation from administration as to number six."

Mr. Miller stated, "We have already dedicated it in our new budget authorizing Chief Christian to have a dedicated traffic unit."

Council Member Cuthbert stated, "So, staff is recommending six in the budget that has been presented to council."

Mr. Miller stated, "That is correct."

Council Member Cuthbert stated, "And what about five? Is staff recommending five or not?"

Mr. Miller stated, "Right now it is a liked item. I do not have the budget in front of me so, I cannot tell you if we allocated funds for that. But as we move forward, yes. It is modern and new, and it will last longer and less maintenance. So, as we move forward, yes. As I sit here today, I cannot tell you yes, because I have not looked at the budget."

Council Member Cuthbert stated, "When the motion is presented to us on May 17th, would the administration include a recommendation as to this item five."

Mr. Miller stated, "Yes."

Council Member Cuthbert stated, "That would be great. Thank you, Mr. Mayor."

12. FACILITIES:

*There are no items for this portion of the agenda.

13. ECONOMIC DEVELOPMENT:

a. To provide the City Council an update on current Economic Development Projects.

Brian Moore, Director of Economic Development, gave a brief PowerPoint presentation on projects.

Key points:

- The Virginia Enterprise Zone program was established by the Virginia Department of Housing and Community Development.

*Audio available upon request.

- The program has two state-based grants. One is job creation grant and the other is real property investment grant. These are provided to qualified investors and job creators with the Enterprise Zone.
- A local can provide local incentives.
- City Council adopted a resolution to establish a local Enterprise Zone on June 21, 2022.
- They are beginning to ask questions about the applications for amendments. The amendments would be removing of residential properties from the zone, adjusting of the current boundaries, and modifications of incentives.
- There are currently 1584 residential properties located within the enterprise zone that encompasses approximately 367 acres. Removing the residential properties would allow staff to adjust the boundaries to include other commercial and industrial properties located within the city.
- On May 10, 2022, there will be an information meeting beginning at 5pm at the Petersburg Public Library with property owners to answer any questions that they may have.
- The property adjustment areas would be in the Route 36 Corridor including Puddledock Road, and the West Washington Street Corridor.
- City Council approves the proposed amendments for submission to DHCD. DHCD approves the proposed amendments and approve the submittal of the amendment application. City Council holds a public hearing on June 21, 2022, approving staff to submit the amendment application. DHCD approves the proposed amendments to the Enterprise Zone boundaries and incentives.

Council Member Cuthbert stated, "Is the Southside Regional Medical Center former site currently in the economic development zone?"

Mr. Moore stated, "I do not believe so, but I will double check for you. It is in the opportunity zone."

Council Member Cuthbert stated, "Okay. Do you think that it is worthwhile to include that in the economic development zone?"

Mr. Moore stated, "We can do the calculation and see if we can get down to that area. Or we can also create a third noncontiguous area."

Council Member Cuthbert stated, "Yes. It is kind of a stand alone and it is recollected to 24 acres and surrounded by residential so I do not think we, it would be an island. Is there any prohibition on making it an island?"

Mr. Moore stated, "No, sir. We can bring that information back."

Council Member Cuthbert stated, "If you would consider that. Because it seems a plum piece of property that has already got the infrastructure. We certainly want to push that. Now, what about the city's 173 acres that it owns off of Squirrel Level. Is that currently in the economic development area?"

Mr. Moore stated, "No."

Council Member Cuthbert stated, "Well, consider if you would on whether it should be. I am not sure whether it should or shouldn't. Because there are so many hurdles obstructing the development of that property already. But if you would consider that and when you come back to council let us know what your thoughts are."

Mr. Moore stated, "Yes. We will do that."

*Audio available upon request.

Mr. Moore did a PowerPoint presentation on the Downtown Master Plan.

Key points:

- City Council voted on September 27, 2021, to allocate \$100,000 for the Downtown Master Plan.
- An additional \$100,000 was allocated to the Downtown Master Plan from ARPA funding.
- They are connecting the downtown commercial and residential expansion with the court-mandated improvements to the Petersburg General District Court.
- Land use, development, and zoning for downtown to include Pocohontas Island and the Halifax Triangle.
- Improving the entryways to the city to include the Martin Luther King Bridge and Exit 52.
- Re-working Washington and Wythe Street as two-way.
- Consideration for expanding the process to be inclusive for the entire city.
- Development of the new city vision and mission statement.
- Developing economic strategy initiatives, goals, and action plan for the entire city.
- The current RFP process is on-going.
- If council would like to include additional elements to create an expanded plan, economic development will work with the city procurement department to implement council's decision.

Mr. Moore gave a brief presentation on the Industrial Revitalization Planning Grant and targeted Brownfield Assessment Grant.

Key point:

- The Department of Economic Development applied for the Department of Housing and Community Development Industrial Revitalization Fund Planning Grant for the study of Exit 52 and 416 Second Street.
- The application was approved on March 16, 2022.
- The city was awarded \$70,500 for Exit 52 and \$85,000 for 416 Second Street.
- The implementation period is from March 28, 2022, to July 29, 2022.
- Staff utilized the on-call contractor Timmons Group to conduct the study and scope of work.
- The Department of Economic Development applied for the United States Environmental Protection Targeted Brownfield Site Assessment Grant for the study on 1015 Commerce Street and 130 Pocahontas Road.
- The application was approved on March 30, 2022. The city was awarded \$20,000 for each site totaling \$40,000.
- The implementation period is from March 30, 2022, to March 20, 2024. EPA will conduct the study of the sites which will include excavation of test pits, installation of groundwater monitoring wells, extraction of samples from the surface and subsurface soils, surface water, groundwater, air, and elsewhere storage of samples and other activities necessary to complete the TBA.
- Economic Development Staff will oversee the implementation process of the IRF Planning Grant and the TBA Grant. Staff will continue to see grant funding opportunities that will promote economic development and support business in the City of Petersburg.

Council Member Cuthbert stated, "Mr. Moore, 1015 Commerce Street, is that Titmus?"

Mr. Moore stated, "Yes."

Council Member Cuthbert stated, "What is at 130 Pocahontas?"

Mr. Moore stated, "I cannot recall off the top of my head. I would have to pull that proper for you."

*Audio available upon request.

Council Member Cuthbert stated, "Is that part of the Roper Brother's or is it across the road?"

Mr. Moore stated, "I believe so. Again, I do not have that in front of me to read it accurately to you." I will double check to make sure."

Council Member Cuthbert stated, "Thank you. It is what it is, but I just wanted to be informed."

Mr. Moore gave an update on GovDeals.

Key points:

- The City of Petersburg City Owned Real Estate Property Disposition process was approved by City Council on March 19, 2019, and revisited on December 8, 2020.
- The current process allows staff to solicit proposals on City-owned property and negotiate the purchase price. This process requires the following: purchase proposal assessment form for all inquiries, Code of Virginia requires two public hearings on the disposal of city property, purchase agreement in negotiated, and development agreement is negotiated and executed.
- Economic development staff will oversee the real estate account for the City of Petersburg. They will post real estate property on GovDeals Real Estate Site. Post will include site specifications to include zoning and acreage.
- Staff can specific criteria such as no duplexes in R3 District.
- Staff will notify the bidders that there is a 30–45-day approval process based on City Council meeting dates.
- GovDeals marketing team will assist with the advertising of the properties and include them on real estate sites.
- Bidders will be required to place a deposit to bid which could range from \$500-\$1000 depending on the site. Stall will have the ability to accept and deny a bid.
- Council will have the final approval and there is no cost to the city.

There was discussion among staff and council.

Vice Mayor Smith-Lee stated, "What is a good number to reach you? I have had several people to call me to speak to someone in economic development."

Mr. Moore stated, "804-618-2292."

14. CITY MANAGER'S AGENDA:

Mr. Miller stated, "Mr. Mayor, I have nothing else to add unless council has questions."

15. BUSINESS OR REPORTS FROM THE CLERK:

*No items for this portion of the agenda.

16. BUSINESS OR REPORTS FROM THE CITY ATTORNEY:

*No items for this portion of the agenda.

17. PUBLIC COMMENTS:

Joseph P. Dickens, 1002 Oakmont Drive, stated, "I am here tonight to see if I can get a formal request in to you as members of council. I would like to begin by saying that I am a member of the

*Audio available upon request.

Dinwiddie/Petersburg Crime Solvers. I am sure that many of you are familiar with that organization. It is a non-profit organization. And I am here tonight, I thought that my chair lady might be here with me. So, I do not want to go too far in debt. There are some things that I cannot say on my own. Since we are talking about crime, I will take more than that not unless you want to reload. And so, during the pandemic our funds for doing what we do. And we operate a P3 app. And that is a nationwide business that help keep this business on track. And I will say that roughly we spend about \$2,000 a year for this app. And our funds have been limited because of the pandemic that we couldn't get on the road to solicit funds. In the past I know that you have recalled our various banquets where we raised the funds to supply our needs for the city. I would like to just in case there are listeners, I would like to say that we are a community based non-profit organization with a fundamental and unique purpose of helping promote the safety economic, equity and welfare of the public by providing guidance to state and local law enforcement in prevention and apprehension and conviction of crimes by rewarding compensation to citizens who help keep our city safe by providing this instant notification of crimes through our P3 Management Software. And so, I was hoping tonight that I would be able to come before you and not just exactly solicit you or beg but to let you know that protection of the city is part of your charter. And so, we would like for you to understand that we are in lack of funds right now. We want you to help replenish that account. I am not privileged to say to you what is currently in our account because most of what we do and pay out is not public information. So, I would hope that you would take this into account and contact me or my chairperson. I have sent each one of you through email a letter two months ago. I just want to know are you getting your email. I appreciate that very much. I will be getting back to you within the next city council meeting with our chair lady so we can further this cost. Thank you. I am also a member of the in crowd."

Gilvia Stith, 2448 County Drive, stated, "Mr. Moore spoke on buildings. I do Lyft transportation. He did mention certain vacant buildings in the City of Petersburg. And at the last meeting I remember Mrs. Smith speaking on buildings that were available at Central State location. But those buildings too, instead of selling them to other investors, why cannot these buildings be put to good use for development. I see these old warehouses turning into lofts and housing. Why cannot these be developed for other housing for our less fortunate and homeless people in the city. Also, with me driving for Lyft, I speak to a lot of the youth. And some of the things that they are concerned about is developing certain activities for the youth and certain projects. I remember when I was in school, we had vocational school. We had welding, computer science, home economics, and so on. So, why cannot things like that be added back to the school so these kids can have something to positive to gravitate towards as opposed to nothing. Which leads them to gravitate towards the negativity that is going on that keeps our police department busy. I think that we need some activities for these children to keep them busy so that we won't continue having blood shed in the city like we have. Because I think that if we do not consider doing something, then there will be a horrible summer. And I can just remember Mr. Westbrook, at VSU when I was a kid, Coach Willis and Michael Moore taught us swimming, karate, and certain things like that that we took an interest in. I went to the pool each day and that is where I learned to swim at. So, why can't we bring back some of these things for the youth, so we don't have to deal with the illegal weapons and legal weapons sold to parents. We have some very intelligent youth in the city, but they do not have the skills and resource to get to the next level of what they are capable of."

Council Member Wilson-Smith stated, "Thank you for your comments. The idea behind the property at Southside Virginia Training Center is for the homeless and people who are being evicted. So, it is exactly for what you did say. And as far as the youth, because I really bug our director to death, I would like to tell you that there are a lot of opportunities right now being sponsored by our recreation and leisure department. They are registering the youth for baseball; summer youth and they just had a camp when the kids were out on spring break. There are a lot of things that we are doing at this point to keep the youth off the street and engage them. Also, on June 12th, for the first time we will have a city sponsored 'National Children's Day' event. And it is to have a lot of activities for our youth at the sports complex. So, know that you are heard and so are other citizens. Know that something is being done that our recreation and leisure department and the director is here tonight. Mr. Allen if you can stand so she can see you. He is doing a phenomenal job in reimplementing things that we use to do. He is bringing it all back and adding some to it. Thank you."

*Audio available upon request.

Mayor Parham stated, "Thank you Ms. Stith. I appreciate it. I also would like to thank Mr. Allen as well. Because we have been working hard this week on something that we have been trying to get off the ground that has been offline for quite some years. It is middle school football. It is something that we are working hard on. We have the Petersburg Schools to the table as well to let them know that these kids need an outlet early. And thank you Mr. Allen for helping to reengage and have money to pay for uniforms. But like Ms. Stith said we have to get the parents involved and out to support these activities. Because it is very important that it takes a village, and we are all part of this village, and we have to do our part."

18. ADJOURNMENT:

Mayor Parham stated, "I would like to entertain a motion to add a closed session to tonight's meeting to discuss a personnel matter."

Council Member Myers made a motion to add a closed session to tonight's meeting to discuss a personnel matter. Vice Mayor Smith-Lee seconded the motion. On roll call vote, voting yes: Cuthbert, Wilson-Smith, Westbrook, Smith-Lee, and Parham; Absent: Hill and Myers

CLOSED SESSION:

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(1) of the Code of Virginia for the purpose discussion pertaining to performance, assignment, and appointment of specific public employees of the City of Petersburg specifically including but not limited to discussion of the performance and appointment of a specific public officer.

Council Member Myers made a motion that the City Council go into closed session for the purposes noted. Council Member Westbrook seconded the motion. There was no discussion on the motion, which was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers, Westbrook, Hill, Smith-Lee, and Parham

City Council entered closed session at 6:45 p.m.

CERTIFICATION:

Mr. Williams stated, "The Mayor would entertain a motion to conclude the closed session called this evening to certify in accordance with §2.2-3712 that the Code of Virginia that to the best of each members knowledge that only public business matter lawfully exempted from the opening meeting requirements were discussed and that only such public business matters were identified in the motion by which the closed meeting was convened, heard, discussed, or considered. If any member believes that there was a departure from the foregoing requirements should so state prior to the vote indicating the substance for departure that in his or her judgment has taken place. This requires a roll call vote Mr. Mayor."

Council Member Westbrook made a motion to return City Council into open session and certify the purposes of the closed session. Vice Mayor Smith-Lee seconded the motion. There was no discussion on the motion.

The motion was approved on roll call vote.

On roll call vote, voting yes: Cuthbert, Wilson-Smith, Myers Westbrook, Smith-Lee, and Parham; Absent: Hill

*Audio available upon request.

- 22-R-29 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.**

City Council returned to open session at 7:02 p.m.

Mayor Parham stated, "Okay. We are back in open session. At this time, I would like to wish all of the mother's a Happy Mother's Day Weekend on this Sunday. Enjoy your time with your mother and look forward to seeing you at our next meeting."

City Council adjourned at 7:03 p.m.

Clerk of City Council

APPROVED:

Mayor



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Cynthia Boone, Brian Moore

RE: A public hearing on the consideration of an appropriation for the fiscal year commencing on July 1, 2021 & ending on June 30, 2022, for the American Rescue Plan Act Loss Revenue Appropriation (\$3,925,000.50). (page 27)

PURPOSE: To hold an official public hearing requesting approval from City Council to appropriate the American Rescue Plan Act Loss Revenue funds.

REASON: The City Council approved at the November 3, 2021 City Council meeting the resolution for certain projects to be funded by the American Rescue Plan Act

RECOMMENDATION: Recommend that Council accept and appropriate the Loss Revenue ARPA funds to be spent in FY2021-22.

BACKGROUND: The City Council approved at the November 3, 2021 City Council meeting the resolution for certain projects to be funded by the American Rescue Plan Act.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 5/17/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Citywide

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 21-ORD-71

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. ARPA Loss Revenue 04.12.22

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2021, AND ENDING JUNE 30, 2022
FOR THE GRANTS FUND.**

BE IT ORDAINED by the City Council of the City of Petersburg, Virginia:

I. That appropriations for the fiscal year commencing July 1, 2021, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2022.

Previously appropriated	\$1,674,999.50
ADD: Loss Revenue	<u>\$2,250,000.00</u>
Total Revenues	<u>\$3,925,000.50</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2021 and ending June 30, 2022, the following sums for the purposes mentioned:

Previously appropriated	\$1,674,999.50
ADD: Loss Revenue	<u>\$2,250,000.00</u>
Total Expenditures	<u>\$3,925,000.50</u>



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager
Tangela Innis, Deputy City Manager

FROM: Randall Williams

RE: **A public hearing on the consideration of authorizing the City Manager to execute a Deed of Utility Easement, including compensation in the amount of \$2,034.72, on behalf of the City of Petersburg for the purpose of acquiring a utility easement on property located at 1546 Baxter Road, Prince George, VA 23875 as part of the Prince George Water System Interconnection project. (page 29)**

PURPOSE: To authorize the City Manager to execute a Deed of Utility Easement, including compensation in the amount of \$2,034.72, on behalf of the City of Petersburg for the purpose of acquiring a utility easement on property located at 1546 Baxter Road, Prince George, VA 23875 as part of the Prince George Water System Interconnection project.

REASON: To acquire the necessary utility easement from a private property owner for the purpose of constructing an interconnection metering vault between the City of Petersburg and Prince George County.

RECOMMENDATION: The Department of Public Works and Utilities recommend that Council approve this action.

BACKGROUND: As part of the Water system interconnection, a metering vault will have to be constructed outside of the Right-of-Way of Baxter Road. This easement acquisition will allow for the construction of the vault on private property.

COST TO CITY: \$2,034.72

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 5/17/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Prince George County

AFFECTED AGENCIES: Public Works & Utilities

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: None

REQUIRED CHANGES TO WORK PROGRAMS: None

ATTACHMENTS:

1. City of Petersburg utility easement agreement_template
2. Final Plat Parcel 001 Elledge
3. BAR Report Parcel 001 K. Elledge
4. Offer Letter Elledge
5. Parcel 001 Elledge Compensation Agreement
6. Signed Title Report with Notes

Prepared by*

Return to

Consideration: \$10.00

Exempt From Taxation
VA Code Section 58.1-811A(3)

Tax Map No.: 330(0A)00-041-A

CITY OF PETERSBURG, VIRGINIA

PERMANENT DEED OF UTILITY EASEMENT

THIS DEED OF EASEMENT made and entered into this ___ day of _____ 2022, by and between Kermit L. Elledge and Kay E. Wright, heirs of Kermit L. Elledge and their heirs, successors and assigns (the "Grantor"), and the City of Petersburg, Virginia, a municipal corporation and the County of Prince George, Virginia (the "Grantee"), a political subdivision of the Commonwealth of Virginia; (individually and collectively the "Grantee").

W I T N E S S E T H:

That for and in consideration of the sum of TEN DOLLARS (\$10.00) cash in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor does hereby grant, dedicate and convey unto the Grantee the following described easements.

1. A permanent easement and right-of-way for ~~City~~ utilities and water (the "**Permanent Easement**") located under, over, in and across the land of the Grantor identified as Tax Map No.330(A)00-041-A in Prince George County?, Virginia (the "**Property**"), together with access thereto over the lands of the Grantor, and all rights and privileges hereinafter enumerated pertaining to the ~~Permanent~~ Easement, the location of which is depicted on that certain plat or plats of survey by Gregory G. McGlothlin, dated December 2, 2021 and attached hereto as Exhibit A and a part hereof, which plat(s) are to be recorded as part of this easement agreement.
2. The Easements shall be for the purpose of constructing, installing, maintaining, inspecting, operating, protecting, replacing, repairing, changing- the size of and removing improvements as part of the GranteeCounty's water and sewer system, including, but not limited to, pipes, mains, manholes, inlet structures, pumps, hydrants and related facilities (collectively, ~~the~~ "**Facilities**").

3. The Easements ~~is~~^{are} subject to the following conditions, and the Grantor and the ~~City~~-Grantee covenant and agree as follows:
- a) All pipes, manholes, inlet structures, hydrants, pumps, and related facilities and structures which are installed in the ~~Permanent~~-Easement shall be and remain the property of the ~~Grantee~~City.
 - b) At no time shall Grantor charge the ~~Grantee~~City for the use of the ~~property~~-Easement occupied by the ~~Grantee~~-City or for the privilege of exercising the rights granted under this agreement.
 - c) The ~~Grantee~~City and its agents shall have full and free use of the Easements~~s~~ for the purposes named, and shall have all rights and privileges reasonably necessary to the utilization of the Easements~~s~~, including a right of ingress to and egress from the Easements~~s~~ where least damage to Grantor's property will occur from such access, which right of access shall be exercised only if and as reasonably necessary, and a limited right ~~of~~ use to adjoining land of the Grantor where necessary to the use and enjoyment for the Easements~~s~~; provided, however, that such right to use adjoining lands of the Grantor shall be exercised only during periods of actual construction or maintenance of the Easement, and shall not be construed to allow the ~~Grantee~~city to erect any building, structure or utility facilities of a permanent nature on such adjoining- land. All damages to any such adjoining lands of the Grantor caused by their use of the ~~Grantee~~City pursuant to this provision shall be repaired by the ~~Grantee~~-City at its expense, and such -lands shall be restored as nearly as possible by the ~~Grantee~~City to their original condition.
 - d) The ~~Grantee~~-City shall have the right to trim, cut, and remove trees, shrubbery, fences, structures, or other obstructions or facilities on, in or near the Easements~~s~~ being conveyed (including in- ground swimming pool), that are deemed by it in its discretion to interfere- with the proper -and efficient construction, operation, and maintenance of the Easements~~s~~; provided, however, -that following completion of construction or repair-, the ~~Grantee~~City shall at its own expense restore, as nearly as possible, the property to its original condition, such restoration including the backfilling of trenches, replacement of fences, and the reseeding or resodding of lawns or pasture areas, but not the replacement of structures, trees, bushes, undergrowth or other facilities located within the Easements~~s~~.
 - e) The Grantor reserves the right to make any use of the Easements~~s~~ herein granted- which may not be inconsistent with the rights herein conveyed or interfere with the use- of -said Easements~~s~~ by the ~~Grantee~~City for the purposes named; provided, however, that the Grantor shall not erect any roadway, building, or other structure, excepting a fence, on the Easements~~s~~ without obtaining prior written approval of the ~~Grantee~~City.
 - f) The Easements~~s~~ and other rights granted herein are and shall be subject to any and all easements, covenants, restrictions and conditions of record affecting the Property.
 - g) The ~~Cit~~~~Grantee~~y shall cooperate and work with the Grantor as needed to minimize the -visual impact of all utility facilities, if any, that are located above ground -level -in the Easement Area.

The Easements and covenants set forth in this deed shall run with the land and shall be binding on the Grantor and the Grantee, their heirs, successors and assigns.

Except as otherwise provided herein, any delay of the Grantee in the use or exercise of any rights granted herein, or in the installation of the utilities shall not result in the loss, limitation or abandonment of any right, title, interest, easement or estate herein granted.

The Grantor covenants that he is seized of the property on which the Easements ~~is~~ are situated in fee simple absolute; that he has the full right and authority to convey the Easements to the Grantee; that the undersigned are all holders of any interest in or to the Property and together hold the entire undivided fee simple title to the Property subject only to liens and other matters of record as of the date of this instrument; that the Grantee shall have quiet possession of the Easements, free from all encumbrances, and that he will execute such further assurances regarding the conveyance of the easements as may be required by the ~~GranteeCity~~ in its discretion. The Grantor further covenants, upon the request of the Grantee, to obtain the consent to these Easements of any lienholder, deed of trust trustee or other individual or entity having any interest whatsoever in the Property.

The Grantor covenants and agrees for himself, his heirs, successors and assigns, that the consideration recited herein shall be in lieu of any and all claims to compensation for property and for damages, if any, to the remaining lands of the Grantor which may result by reason of the use to which the Grantee will put the land to be conveyed.

Recordation of this instrument shall be deemed acceptance of the Easements by the ~~GranteeCity~~ pursuant to authority and direction of the respective Board of Supervisors of the City of New Petersburg, Virginia governing bodies.

[The remainder of this page is intentionally left blank.]

WITNESS the following signatures and seals.

KERMIT L. ELLEDGEGRANTOR

By: _____

CITY/COUNTY OF _____,
STATE/ COMMONWEALTH OF _____,

The foregoing instrument was acknowledged before me _____, 2022~~49~~, by Kermit L. Elledge.

My commission expires: _____

Notary registration number: _____

Notary Public

KAY E. WRIGHT

By: _____

CITY/COUNTY OF _____,
STATE/ COMMONWEALTH OF _____,

The foregoing instrument was acknowledged before me _____, 2022, by Kay E.

Wright.

My commission expires: _____

Notary registration number: _____

Notary Public

ACCEPTED this _____ day of _____, 2022 ~~This Deed is accepted on behalf of~~ by the
County of Prince George, Virginia, pursuant to Va. Code § 15.2-1803 as authorized by resolution of the
Board of Supervisors of the County of Prince George, Virginia, dated _____,
2022. ~~Acceptance by the City is evidenced by the following signature of an authorized official of the City.~~

COUNTY OF PRINCE GEORGE, VIRGINIA

By: _____ Date: _____

(SEAL)

Name: Jeffrey D. Stoke _____

Title: County Administrator _____

COUNTY OF _____
COMMONWEALTH OF VIRGINIA,

The foregoing instrument was acknowledged before me _____, 20_____, by Jeffrey
D. Stoke _____, County Administrator _____, on behalf
of the County of Prince George ~~County of Petersburg~~, Virginia.

My commission expires: _____

Notary registration number: _____

Notary Public

APPROVED as to form:

Dan N. Whitten
Prince George County Attorney

blie

CITY OF PETERSBURG, VIRGINIA

By: _____

Name: _____

Title: _____

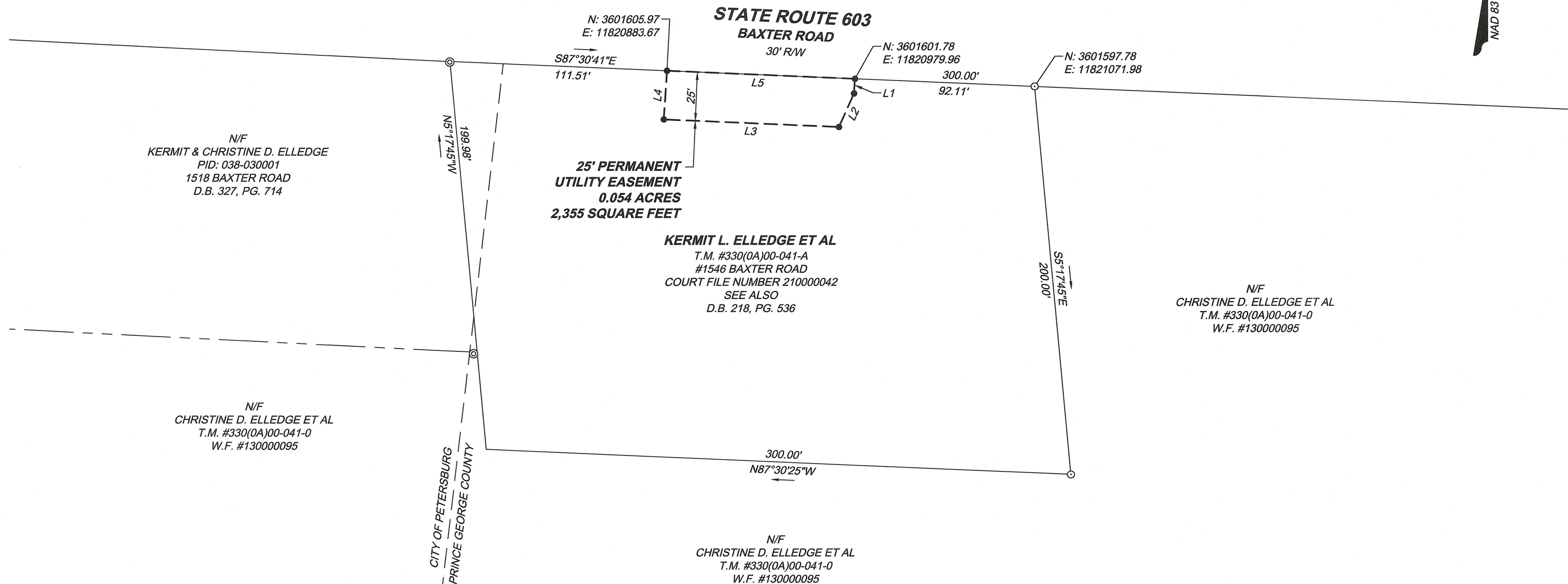
COUNTY OF _____
COMMONWEALTH OF VIRGINIA,

The foregoing instrument was acknowledged before me _____, 20____, by
_____, _____, on behalf of the City of Petersburg, Virginia.

My commission expires: _____

Notary registration number: _____

Notary Public

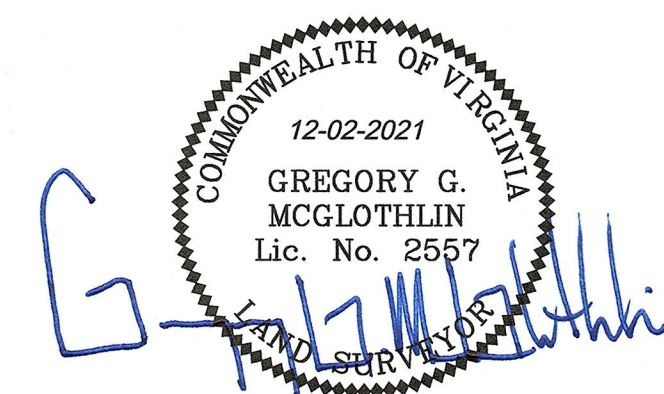
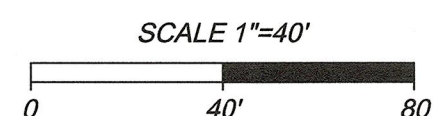


AREA TABLE	
25' PERMANENT UTILITY EASEMENT TO BE ACQUIRED	0.054 ACRES 2,355 SQUARE FEET

LINE TABLE		
LINE	BEARING	LENGTH
L1	S3°19'59"W	7.53'
L2	S24°23'36"W	18.83'
L3	N87°30'41"W	89.84'
L4	N3°51'03"E	25.01'
L5	S87°30'41"E	96.38'

NOTES:

1. PROPERTY LINES AND RIGHT OF WAY INFORMATION SHOWN IS BASED ON PLATS, DEEDS OR RECORD AND ACTUAL FILED MEASUREMENTS. ONLY THE BOUNDARIES SHOWN HAVE BEEN SURVEYED FOR THIS PROJECT.
2. THIS SURVEY MAY NOT REFLECT ALL EASEMENTS OR RESTRICTIONS THAT AFFECT THIS PROPERTY
3. EASEMENTS SHALL BE ACQUIRED BY DEED.



PLAT SHOWING EASEMENT
TO BE ACQUIRED FROM
KERMIT L. ELLEDGE ET AL

BY THE CITY OF PETERSBURG FOR
PRINCE GEORGE WATER SYSTEM
INTERCONNECT
PRINCE GEORGE COUNTY, VIRGINIA

SCALE 1"=40' DECEMBER 02, 2021
JN: 43754-903, 1546

GREGORY G. MCGLOTHLIN, SURVEYOR
4701 OWENS WAY, SUITE 900
PRINCE GEORGE, VIRGINIA 23875

**BASIC ADMINISTRATIVE REPORT (BAR)
RIGHT OF WAY ACQUISITION**

Project, Parcel and Ownership Information			
Parcel No. 003	Prince George Water System Interconnect		
Project No. 45930	UPC#	County: Prince George	
Federal Project No.	NA		
PPMS No.	NA		
Parcel Address	1546 Baxter Road		
Parcel City, State and Zip	Prince George, Virginia 23875		
Owner Name	Kermit L. Elledge Et Als		
Owner Address	16033 Cuttysark Street		
Owner City, State and Zip	Corpus Christi, Texas 78418		
Agent Name			
Zoning, Use and Assessment Information			
Tax Parcel #	3300A00041A	Assessed Land	\$ 55,600
Zoning	Residential 02001	Assessed Improv.	\$ 202,600
Current Use	210R	Total Assessed Value	\$ 258.200
Parcel Size Before Acquisition	1.32	Parcel Size After Acquisition	1 .32

Estimate of Just Compensation					
Item	Unit of Comparison	Size	Unit Value (\$)	Percentage of Value Applied	Estimated Value (Size x Unit Value x Percent Applied)
Permanent Utility Easement	SF	2,355	.96	90%	\$ 2,034.72
					\$
Value of the Land and Easements					\$ 2,034.72
Value of the Improvements (List and Comment Below)					
Cost to Cure Items (Explanation and Calculation Below)					
TOTAL ESTIMATED PAYMENT					\$ 2,034.72
Comments, Explanations and Calculations (e.g. if any, area of residue acquired)					
Cost to Cure: NONE					
Value has been determined by utilizing the County's assessments.					
Signatures and Date Approved for Acquisition					
Agent Signature					
Date					
Manager Signature					
Date Approved for Acquisition					

Property Owner: Kermit L. Elledge Et Als

Tax Parcel #: 001

Tax Map# 3300A00041A

Photo #: 1

Photo Shows a View of: Acquisition



Photo #: 2
Photo Shows a View of: Acquisition



Photo #: 3
Photo Shows a View of: Acquisition



Photo #: 4

Photo Shows a View of: Acquisition



Photo #: 5
Photo Shows a View of: Acquisition



Photo #: 6
Photo Shows a View of: Acquisition



DATE

COUNTY PROJECT: Prince George Water System Interconnect

Parcel: 001

Tax Parcel: 330(0A)00-041-A

Location: 1546 Baxter Road Prince George, Virginia 23875

Landowner: Kermit L. Elledge Et Al

Dear Landowner:

The **City of Petersburg** has contracted the services of Timmons Group to assist in obtaining a Permanent Utility Easement on behalf the **County of Prince George** for the construction and/or maintenance of the above project. The plans show that your property will be affected by the proposed construction.

To determine the market value of that portion of your property needed for this improvement, the County Assessment was utilized and concluded that the value of the area is \$ 2,034.72, a breakdown of this value is as follows:

Category	Description	Units	Size	Value
Permanent Easement	Utility	Square Feet	2,355	\$ 2,034.72

Total Offer \$ 2,034.72

Enclosed are copies of the approved Basic Administrative Report, a copy of the plans or plat showing the Permanent Utility Easement containing 2,355 square feet (0.055 acres), more or less, as shown on "PLAT SHOWING EASEMENT TO BE ACQUIRED FROM KERMIT L. ELLEDGE ET AL BY THE COUNTY OF PRINCE GEORGE WATER SYSTEM INTERCONNECT PRINCE GEORGE COUNTY, VIRGINIA" prepared by Timmons Group dated December 2, 2021. Also included are copies of the title examination of your property, and other documents concerning this acquisition.

As provided under Section 33.2-1001 of the Code, we have enclosed any and all plan sheets or plats that address the breakdown of cuts and fills including entrance, center line, edge of pavement, shoulder changes, grade changes, etc. affecting your property in this acquisition.

Should you wish to complete this transaction without an additional meeting, the enclosed easement needs to be signed in the presence of a notary public and returned to me. Upon receipt, the County of Prince George will order a check for the specified amount and prepare a closing statement for your signature. The information on the enclosed IRS Taxpayer Identification Number Form needs to be verified and should include your Social Security Number/Taxpayer ID in the space provided. This information is necessary to expedite closing and payment. If you have any questions, please contact Joe Sckinto at (804)-310-9276 or e-mail at Joe.Sckinto@Timmons.com.

Thank you for your consideration of our offer to purchase the needed easements. Through your cooperation, the County of Prince George will remain among the state's finest. Timmons Group will contact you to schedule a meeting, answer questions, and address any concerns regarding this matter.

Sincerely,

Name

Title

TAX MAP NO.: 330(0A)00-041-A
PARCEL NO.: 001

This agreement made this _____ day of _____ 2022, by and between, **Kermit L. Elledge and Kay E. Wright, heirs of Kermit L. Elledge and their heirs, successors and assigns (GRANTOR)**, and the **City of Petersburg, Virginia**, a political subdivision of the Commonwealth of Virginia.

Plans for the proposed Water System Interconnect Project and its impact to the property located at 1546 Baxter Road Prince George, Virginia 23875 have been explained to Mr. Elledge and Ms. Wright. The City of Petersburg has agreed to compensate Mr. Elledge and Ms. Wright the sum of \$2,034.72 for the 2,355 square foot Permanent Utility Easement.

Kermit L. Elledge

Kay E. Wright

Right of Way Agent

OWNER TITLE REPORT

County: Prince George County
Project: Prince George Water System Interconnect

Parcel No: 001

Re: 1546 Baxter Road

Description of real estate: ALL that certain lot or parcel of land situate in Rives Magisterial District, Prince George County, Virginia, containing 1.32 acres, situate on the south side of and adjacent to State Highway Route No. 03, also known as Baxter Road, designated as Parcel "B" on the plat made by Gerald K. Moody, Surveyor, dated October 8, 1973, hereto attached and to be recorded herewith, and bounded and described as indicated on said plat as follows, to-wit:

BEGINNING at an iron pin on the south boundary of State Highway Route No. 603 at the northeast corner of the property hereby conveyed, corner of the land of Dickens; running thence S. 1° 12' 40" W. 200 feet to an iron pin; thence N. 81° 00' W. 300 feet to an iron pin; thence N. 1° 12' 40" E. 68.48 feet to a point on the dividing line between the City of Petersburg and Prince George County; running thence N. 13° 09' E. 130.65 feet to a point on the south boundary of said highway; running thence S. 81° 00' E. along the south boundary of said highway 272.72 feet to the point of beginning.

I hereby certify that I have made an examination of the title to the above described property, as disclosed by the general indices to the records in the Clerk's Office of the Circuit Court of Chesterfield County, Virginia, and that **KERMIT L. ELLEGE AND KAY E. WRIGHT**, have good and fee simple title thereto, free from all encumbrances, subject only to the following:

- (1) Taxes: Paid through the 2nd half of the year 2021.
- (2) Any unrecorded leases or unfilled mechanic's liens.
- (3) Such state of facts as might be disclosed by a physical survey of the premises.
- (4) Deed(s) of Trust: None of Record
- (5) Leases: None of Record.
- (6) Recorded liens: None of Record.
- (7) Conditions and Restrictions: None of Record.
- (8) Easements: Virginia Electric and Power Company Deed Book 135, Page 13.
Commonwealth Natural Gas Corporation Deed Book 142, Page 572.
Commonwealth Natural Gas Corporation Deed Book 143, Page 183.
Commonwealth Natural Gas Corporation Deed Book 143, Page 182.
Sewer Easement Deed Book 284, Page 363.

Notes: 1. Matters as shown on plat recorded in Deed Book 218, page 538.

- (1) Sources of title: Deed from A. B. Dickens Widower.

- (2) The said Kermit Elledge died December 5, 2014, leaving as his heir at law, his wife, Christine D. Elledge recorded in Will Book CWF210000048 in the Clerk's Office Circuit Court Prince George County. The said Christine D. Elledge died February 18, 2021, leaving as her heirs at law, Kermit L. Elledge and Kay E. Wright recorded in Will Book CWF210000042 in the Clerk's Office Circuit Court Prince George County.

Recorded in Deed Book 218 Page 536 Date of Deed: March 15, 1974
Date of Recordation: March 26, 1974

- (3) Assessment: 2022

Name: Kermit L. Elledge and Kay E. Wright
Address: 1200 Otterdale Road
Description: 2.1 Acres
Tax Map: 718701531400000

Assessment Year: 2022
Land: \$ 55,600
Improvements: \$202,600

This title opinion is subject to certain express exclusions and conditions, as follows:

This title opinion is based on an examination of the public land records for a certain period of time, the beginning and ending date of which is shown in the opinion. No opinion is given as to any matter which would be discoverable by physical survey or visual inspection of the property. No opinion is given as to building and/or zoning ordinances, or any other law, ordinance, or governmental regulation restricting, regulating, or prohibiting the occupancy, use or enjoyment of the property. In giving this title opinion, it is assumed that all relevant instruments were properly recorded and indexed, that all recitations therein are true and correct and that all such instruments contain genuine signatures by competent persons of legal age, and if made in a representative capacity, were signed with due and proper authority. For indices which contain direct and indirect listings, we have only reviewed the direct entries in the indices. We have assumed that the respective corporations in the chain of title were in existence during the period they held title, and that they were authorized to hold and convey real property. We have limited our adverting of all natural persons in the chain of title, during the period they held record title to the property, to the surname and the first name or initials by which each person acquired the estate and the name or initials by which each person conveyed the estate.

Real estate taxes which are not yet due and payable as of the date of this title opinion may constitute a lien upon the property.

Any matters which would not be disclosed by examination of the public land records during the period of the title examination, such as mechanic's liens not placed of record, suits affecting title not placed of record by virtue of a properly recorded and indexed *lis pendens*, rights in the property obtained through adverse possession or prescription or title vested through operation of the bankruptcy laws are not covered in this title opinion. This title opinion is given with the understanding that there are certain risks in regard to title to real estate, including forgery or fraud in the chain of title, incorrect statement of marital status, undisclosed heirs, mental incompetency of party, adequacy or payment of consideration, actual notice by subsequent purchasers of prior unrecorded conveyances, boundary lines, survey lines, conflicts of boundary lines, vacancies, excesses, rights of parties in use and possession, improper indexing of instruments or confusion due to similar or identical names

which are not covered in this title opinion but which may be insured against by a title insurance policy issued by a title insurance company.

PERIOD OF EXAMINATION AND DISCLAIMER: This title examination covers a period from January 1, 1943 to January 31, 2022, has been prepared with the assistance of non-lawyer agency personnel and is issued to and for the benefit only of Prince George County. It is submitted in compliance with Va. Code § 25.1-204 and a copy will be provided to a property owner only for the purpose of satisfying a requirement of Va. Code § 33.2-1001 and for no other purpose. Use of this report by anyone other than Prince George County is prohibited. Certification is expressly limited accordingly.

Examined by:



Joanne Daniel RWA
Right of Way Specialist – Timmons Group

TIMMONS GROUP

Title Report Abstract Sheet

PARCEL: 001

PROJECT: Prince George Water System Interconnect

BRIEF DESCRIPTION: 1.32 Acres

ADDRESS: 1546 Baxter Rd.

Full Search (60 yrs) ☐

Limited (20+ yrs) ☐

Current Owner ☐

	Dates	GRANTOR INDEX	GRANTEE INDEX	JUDGE-MENTS	FINANCE STATEMENT	WILL INDEX
Elledge, Kermit Christine	3/15/1974 1/01/2022	✓	✓	✓	✓	✓
Elledge, Kermit Lee	2/18/2001 1/31/2022	✓	✓	✓	✓	✓
Wright, Kay	2/18/2001 1/31/2022	✓	✓	✓	✓	✓
Blancheco, Dickens, A.B.	11/1/1973 3/26/1974	✓	✓	✓	✓	✓

Commonwealth Gas 327/702?

DIT 219/224 rel 1348/850

Deed In 218/536

DIT 440/841 - rel 190001616
electric 400/933

DIT 295/558

Deed 242/51 - NOTUS

comm of VA 285/371 X

com Gas P. pipeline 286/498-X

Sewer 271/288 (202/332)

POA 242/590 X

REAL ESTATE TAXES

Assessment Year: 2022

Land: \$ 55,000

Improvements: \$ 202,600

Total Value: \$ 258,200

Total Tax: \$

Taxes Paid Through:

Tax ID: 3300 A 00041A

☐ Taxes Delinquent (See Attached)

pump station 271/288

Sewer

284/343

DIT 224/389 - rel 217/87

Deed 300/402 X

DIT 300/604 X rel 355/909

Deed 284/343

1546 BAXTER RD

Location 1546 BAXTER RD

City, State, Zip PRINCE GEORGE, VA 23875

Mblu 330/ 0A 00/041 A/ /

Tax Parcel # 3300A00041A

Owner ELLEDGE ET ALS KERMIT L

Taxable Status Non-Exempt

Assessment \$258,200

Appraisal \$258,200

PID 6048

Building Count 1

Legal Description SECOND SWAMP; ACRES:1.32;

Plat Book 218

Plat Page 536

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2022	\$202,600	\$55,600	\$258,200
Assessment			
Valuation Year	Improvements	Land	Total
2022	\$202,600	\$55,600	\$258,200

Owner of Record

Owner ELLEDGE ET ALS KERMIT L
Co-Owner
Address 16033 CUTTYSARK ST
CORPUS CHRISTI, TX 78418

Sale Price \$0
Certificate
Book & Page 210000042/
Sale Date 03/25/2021
Instrument 03

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
ELLEDGE ET ALS KERMIT L	\$0		210000042/	03	03/25/2021
ELLEDGE CHRISTINE D	\$0		0/0	00	12/05/2014
ELLEDGE KERMIT & CHRISTINE D	\$0		0/0	00	01/01/1776

Building Information

Building 1 : Section 1

Year Built: 1975
Living Area: 2,072

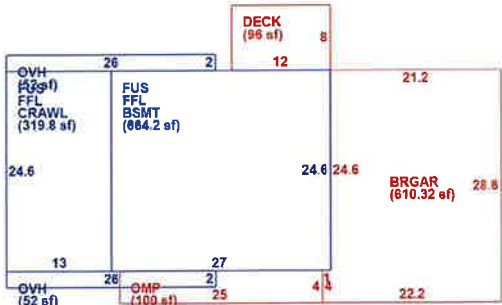
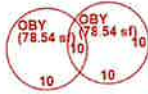
Building Attributes	
Field	Description
Style	2/2+ Story <1979
Model	Residential
Grade	C
Stories	2.0
Story Config	Standard
Occupancy	1
Extra Living Units	0
Roof Type	Gable
Roof Cover	Composition/Tab
Construction Type	Wood Frame
Exterior Wall 1	Brick
Exterior Wall 2	Vinyl
Heat System	Heat Pump
Heat Fuel	Other
A/C Type	Central Air
Interior Wall 1	Drywall
Interior Wall 2	
Floor Type	Sub and Joists
Interior Floor 1	Other
Interior Floor 2	Other
Total Room(s)	8
Bedroom(s)	4
Full Bath(s)	2
Half Bath(s)	1
Extra Fixture(s)	0
Extra Kitchen(s)	0
Fireplace(s)	2
Foundation	Typical
Basement	Half
Crawl Code	Quarter
Bsmt Finish Area	0
Bsmt Gar Area	0
Attic Code	None
Attic Finish Area	0
Sub Class	002 suburban - 1 - 19 ac

Building Photo



(<http://images.vgsi.com/photos/PrinceGeorgeVAPhotos/Images/\330\3300>)

Building Layout



(ParcelSketch.ashx?pid=6048&bid=6048)

Building Sub-Areas (sq ft)			
Code	Description	Gross Area	Living Area
FFL	First Floor	984	984
FUS	Finished Upper Story	984	984
OVH	Overhang	104	104
BRGAR	Brick Garage	610	0
BSMT	Basement	664	0
CRAWL	Crawl	320	0
DECK	Deck	96	0
OBY	Outbuilding	237	0
OMP	Open Masonry Porch	100	0
		4,099	2,072

Rel Desirability	1.00
SFLA	2072
Parking	Asphalt driveway
MH Length	0
MH Width	0
MFG Home	No
Walk Out Bsmt	No

Land

Land Use

Use Code 210R
Description Residential <20 acres-Improved
Neighborhood 02001
Category

Land Line Valuation

Size (Acres) 1.32
Assessed Value \$55,600
Appraised Value \$55,600

Outbuildings

Outbuildings					
Code	Description	Sub Code	Sub Description	Size	Bldg #
DETGAR	Garage - Detached	WF	Wood Frame	936.00 UN	1
PLBLDG	Pole Building			388.00 UN	1
PLBLDG	Pole Building			347.00 UN	1

Valuation History

Appraisal				
Valuation Year	Improvements	Land	Total	
2021	\$202,600	\$55,600	\$258,200	
2019	\$178,800	\$50,600	\$229,400	
2018	\$165,900	\$50,600	\$216,500	

Assessment				
Valuation Year	Improvements	Land	Total	
2021	\$202,600	\$55,600	\$258,200	
2019	\$178,800	\$50,600	\$229,400	
2018	\$165,900	\$50,600	\$216,500	

2nd 18 1974
mailed
to Kermit Elledge
518 Carter Rd.
Petersburg, Va

BOOK 218 PAGE 536


THIS DEED, made this 15th day of March, in the year 1974, by and between A. B. DICKENS, widower, party of the first part, and KERMIT ELLEDGE and CHRISTINE D. ELLEDGE, husband and wife, parties of the second part.

WITNESSETH: That for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration, cash in hand paid by the parties of the second part to the party of the first part, the receipt whereof is hereby acknowledged, the said party of the first part doth hereby grant, bargain, sell and convey, with GENERAL WARRANTY and ENGLISH COVENANTS OF TITLE, unto the said Kermit Elledge and Christine D. Elledge, husband and wife, as tenants by the entirety, with the right of survivorship as at common law, the following described property, to-wit:

All that certain lot or parcel of land situate in Rives Magisterial District, Prince George County, Virginia, containing 1.32 acres, situate on the south side of and adjacent to State Highway Route No. 603, also known as Baxter Road, designated as Parcel "B" on the plat made by Gerald K. Moody, Surveyor, dated October 8, 1973, hereto attached and to be recorded herewith, and bounded and described as indicated on said plat as follows, to-wit:

BEGINNING at an iron pin on the south boundary of State Highway Route No. 603 at the northeast corner of the property hereby conveyed, corner of the land of Dickens; running thence S. 1° 12' 40" W. 200 feet to an iron pin; thence N. 81° 00' W. 300 feet to an iron pin; thence N. 1° 12' 40" E. 68.48 feet to a point on the dividing line between the City of Petersburg and Prince George County; running thence N. 13° 09' E. 130.65 feet to a point on the south boundary of said highway; running thence S. 81° 00' E. along the south boundary of said highway 272.72 feet to the point of beginning; it being a part of a tract of land containing 41.4 acres conveyed to A. B. Dickens and Blanche W. Dickens, husband and wife, as tenants by the entirety, with the right of survivorship as at common law, by deed from Josephine Wagner, widow, dated January 1, 1943, and recorded in the Clerk's Office of the Circuit Court of Prince George County, Virginia, in Deed Book 123, at page 419; the said Blanche W. Dickens having died on the 28th day of December, 1970, leaving her husband, A. B. Dickens, the grantor herein, surviving her.

WITNESS the following signature and seal:


A. B. Dickens (SEAL)

STATE OF VIRGINIA

County of Prince George, to-wit:

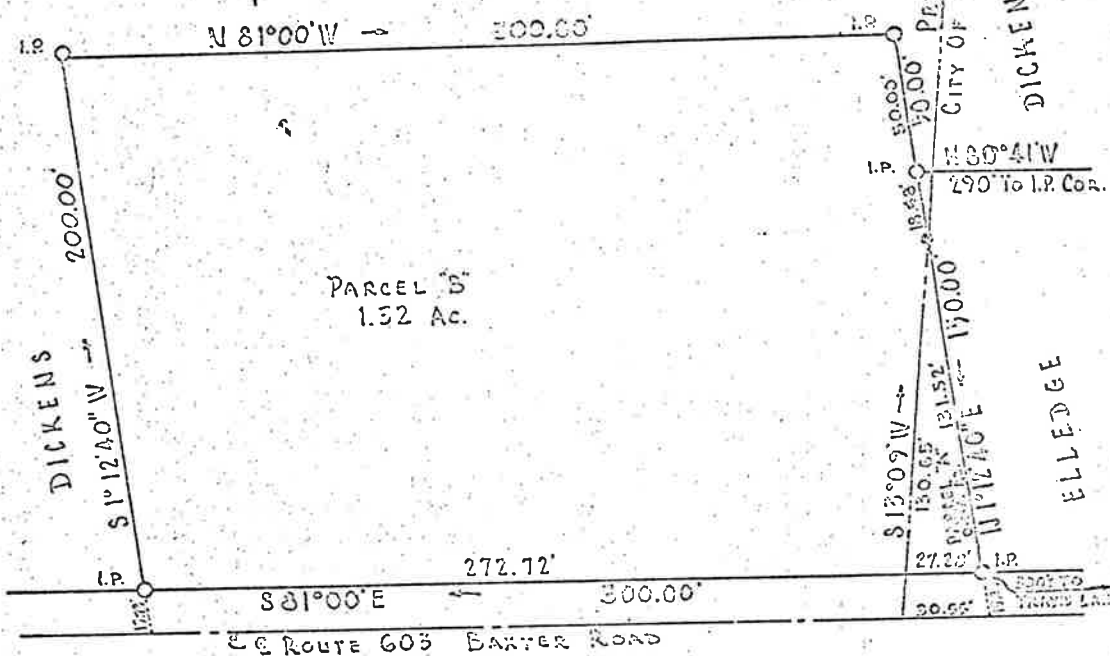
I, Marilyn P. Magee, a Notary Public
in and for the County and State aforesaid, do hereby certify that A. B. Dickens,
whose name is signed to the foregoing writing bearing date on the 15th day of
March, 1974, has acknowledged the same before me in my County and State afore-
said.

GIVEN under my hand this 15th day of March, 1974.

My commission expires October 11, 1977.

Marilyn P. Magee
Notary Public

DICKENS



Approved: [Signature] 3/26/74

PARCEL "A" 0.04 AC. CITY OF PETERSBURG
 PARCEL "B" 1.32 AC. PRINCE GEORGE COUNTY
 1.36 AC. TOTAL

MAP OF
 1.36 ACRES OF LAND
 SURVEYED FOR
 KERMIT & CHRISTINE D. ELLEDGE
 RIVES DISTRICT-PRINCE GEORGE CO.
 & CITY OF PETERSBURG, VIRGINIA.

GERALD K. MOODY
 SURVEYOR
 COLONIAL HEIGHTS, VIRGINIA

SCALE: 1"=50'

OCTOBER 3, 1973.



VIRGINIA Clerk's Office of the Circuit Court of Prince George County
March 26, 1974 at 4:25 o'clock P.M.

This deed was presented and with the certificate plot
 annexed, admitted to record.

I hereby certify that the tax imposed by Section 58-54.1 in the amount of
 \$ 0.50 has been paid to this office.

TESTE: Kenneth L. [Signature] CLERK

DB 135113

Apr 21/
 Verifie
 made
 Va & Co
 Power
 Richmond
 Va

KNOW ALL MEN BY THESE PRESENTS that A. B. Dickens and Blanche W. Dickens, his wife

Grantors, in consideration of One Dollar (\$1.00), receipt whereof is acknowledged, grant to Virginia Electric and Power Company, a Virginia corporation, its successors and assigns, hereinafter called Company, the right to construct, operate and maintain a pole line, at a location to be designated by Company, with all desirable appurtenances for the transmission and distribution of electricity and sound, including the wires and attachments of any other company, over, upon, and across the property of Grantors situated in said county and state, described as follows:

A tract of land with a residence thereon containing 41.6 acres more or less, located on east side of Virginia State Highway Route No. 652, in Rives Magisterial District, Prince George County, Virginia, and adjoining the properties now or formerly owned by Joe Chudabu and T. A. Munt, Jr.

It is agreed that said pole line and appurtenances erected hereunder shall be and remain the property of Company and that Company shall at all times have full and free ingress to and egress from and over the said property in order to construct and efficiently maintain and operate said line and appurtenances, with the right to make such changes, additions and alterations therein as Company may from time to time deem advisable; with the further right to trim, cut and keep clear all trees, limbs and undergrowth and other obstructions along said line or adjacent thereto that may in any way endanger or interfere with the proper and efficient operation of the same.

WITNESS the following signatures and seals this 9th day of December, 1947.

_____(SEAL) A. B. Dickens _____(SEAL)
 _____(SEAL) Blanche W. Dickens _____(SEAL)
 _____(SEAL) _____(SEAL)
 _____(SEAL) _____(SEAL)

STATE OF VIRGINIA }
 Prince George County } To-wit:

I, R. L. Ellington, a Notary Public in and for the City aforesaid,
 do hereby certify that A. B. Dickens and Blanche W. Dickens County aforesaid
 State of Virginia at Large

whose names are signed to the foregoing writing bearing date on the 9th day of December, 1947, have acknowledged the same before me in the county aforesaid.
 Given under my hand this 9th day of December, 1947.
 My commission expires November 10, 1949.

R. L. Ellington
 Notary Public.
 Bond given in Hustings Court, Petersburg

STATE OF VIRGINIA }
 To-wit:

I, _____, a Notary Public in and for the City aforesaid,
 do hereby certify that _____ County aforesaid
 State of Virginia at Large

whose name _____ signed to the foregoing writing bearing date on the _____ day of _____, 19____, ha acknowledged the same before me in the _____ aforesaid.
 Given under my hand this _____ day of _____, 19____.
 My commission expires _____
 Notary Public.

STATE OF VIRGINIA }
 To-wit:

I, _____, a Notary Public in and for the City aforesaid,
 do hereby certify that _____ County aforesaid
 State of Virginia at Large

whose name _____ signed to the foregoing writing bearing date on the _____ day of _____, 19____, ha acknowledged the same before me in the _____ aforesaid.
 Given under my hand this _____ day of _____, 19____.
 My commission expires _____
 Notary Public.

COUNTY OF PRINCE GEORGE, TO-WIT:

In the clerk's Office of the Circuit Court of said County, the 10th day of January, 1948.

This deed was presented, and with the certificate annexed, admitted to record at 10 o'clock A. M.

STATE OF VIRGINIA

COUNTY OF PRINCE GEORGE, TO-WIT:

In the Clerk's Office of the Circuit Court of said County, the 24th day of October, 1950.

This deed was presented, and with the certificate annexed, admitted to record at 1 o'clock P. M.

TESTE:

George R. Walter

CLERK

DB 142572

A. B. DICKENS & WIFE

TO) RIGHT OF WAY

COMMONWEALTH NATURAL GAS CORPORATION

FOR AND IN CONSIDERATION OF the sum of Sixty-three & no/100 (\$63.00) Dollars, cash in hand paid, receipt whereof is hereby acknowledged, I, or we, A. B. Dickens and Blanche W. Dickens, his wife, do hereby grant unto COMMONWEALTH NATURAL GAS CORPORATION, its successors, and assigns, the right to lay, maintain, operate and remove a pipe line, or pipe lines, for the transportation of gas, oil, petroleum products, or any other liquids, gases or substances which can be transported through a pipe line, through lands in Rives District, Prince George County, Commonwealth of Virginia, said lands being bounded and described as follows:

On the North by the lands of- Route No. 603
On the East by the lands of - Roper Lumber Company
On the South by the lands of- Joseph J. Chudoba
On the West by the lands of - Route No. 652

Being a parcel of land conveyed by Josephine Wagner to Alexander B. Dickens and Blanche W. Dickens, ux, by Deed dated January 1, 1943, as recorded in Deed Book 123, page 419, in the office of the County Clerk, Prince George County, Va. with the right of ingress and egress, to from and through same.

It is agreed that the gas line to be laid under this grant shall be constructed and maintained below cultivation, so that Grantors may fully use and enjoy the premises, subject to the rights of the Grantee to maintain and operate said line or lines.

The interest of the Grantee in the property covered hereby is to be held by the Grantee subject to the lien of and in accordance with the provisions of the Mortgage and Deed of Trust from the COMMONWEALTH NATURAL GAS CORPORATION to First & Merchants National Bank of Richmond, Virginia, Trustee, which has been, or will be filed for record in the county in which the property covered hereby is situated.

The grantee is further granted the right at any time to lay additional lines of pipe approximately parallel to the first line herein provided, upon the payment of the price above mentioned for each additional line to be laid.

Grantee further agrees to pay for any damages that may arise from the construction, maintenance, operation and removal of said lines.

Said damages, if not mutually agreed upon, to be ascertained and determined by three disinterested persons: One to be appointed by the undersigned grantors, his successors, heirs or assigns; one by the grantees, its successors or assigns;

*cc. 20/50
referred to
in Bacon
& Bacon
17th. Casey St.
Richmond 21, Va.*

and Grantee can not agree upon the third person to be appointed, the appointment of said third person shall be by the Judge of the Circuit Court of Prince George County, and the written reward of such three persons, or any two of them, shall be final and conclusive. In the event it becomes necessary to arbitrate the damages, it is understood and agreed that one-half the costs of arbitration shall be borne by each party to this Contract.

It is understood that the persons securing this contract are without authority to make any agreement with respect to the subject matter hereof not herein expressed.

WITNESS the following signatures and seals this, the 18th day of October, 1950.

WITNESS:

Roland J. Godfrey

A. B. Dickens (SEAL)

James W. Joiner

Blanche W. Dickens (SEAL)

In consideration of \$1.00 and other considerations, I, the undersigned, hereby adopt and join in the execution of the above and foregoing grant and consent to the enjoyment by the Grantee therein of the rights granted by said grant.

Dated this _____ day of _____ 19__.

NONE

COMMONWEALTH OF VIRGINIA

CITY OF RICHMOND

COUNTY OF

I, Anthony T. Layne, a Notary Public in and for the Commonwealth of Virginia at Large do hereby certify that the execution of the foregoing writing bearing date on the 18th day of October, 1950, by A. B. Dickens and Blanche W. Dickens, his wife, whose names are signed thereto, was proved before me in the City aforesaid by the evidence and on the oath of Roland J. Godfrey and James W. Joiner, subscribing witnesses to said writing.

Given under my hand this 19th day of October, 1950.

My commission expires: August 6, 1954.

Anthony T. Layne
NOTARY PUBLIC

STATE OF VIRGINIA

COUNTY OF PRINCE GEORGE, TO-WIT:

In the Clerk's Office of the Circuit Court of said County, the 24th day of October, 1950.

This deed was presented, and with the certificate annexed, admitted to record at 1 o'clock P. M.

TESTE:

Tracy R. Walters

CLERK

STATE OF VIRGINIA

COUNTY OF PRINCE GEORGE, TO-WIT:

I, Edith A. Mayerhoefer, a Notary Public in and for the County and State aforesaid, do hereby certify that Anna Kadlec and Louis Kadlec, whose names are signed to the foregoing writing, bearing date on the 22nd day of November, 1950, have each acknowledged the same before me in my County and State aforesaid.

My commission expires: April 27, 1953.

Given under my hand this 5 day of December, 1950.

Edith A. Mayerhoefer
NOTARY PUBLIC

STATE OF NEW JERSEY

COUNTY OF UNION, TO-WIT:

I, Frances L. Condon, a Notary Public in and for the County and State aforesaid, do hereby certify that Frank Kadlec and Mary Kadlec, whose names are signed to the foregoing writing, bearing date on the 22nd day of November, 1950, have each acknowledged the same before me in my County and State aforesaid.

My commission expires: 1-28-52.

Given under my hand this 29 day of November, 1950.

"SEAL"

Frances L. Condon
NOTARY PUBLIC

STATE OF VIRGINIA

COUNTY OF PRINCE GEORGE TO-WIT:

In the Clerk's Office of the Circuit Court of said County, the 5th day of December, 1950.

This deed was presented, and with the certificate annexed, admitted to record at 11 o'clock A. M.

TESTE:

DB1431183

George R. Waller

CLERK

A. B. DICKENS & WIFE

TO) RIGHT OF WAY

COMMONWEALTH NATURAL GAS CORP.

FOR AND IN CONSIDERATION OF the sum of Twenty-six & no/100 (\$26.00) Dollars cash in hand paid, receipt whereof is hereby acknowledged, I, or we, A. B. DICKENS And BLANCHE W. DICKENS, his wife, do hereby grant unto COMMONWEALTH NATURAL GAS CORPORATION, its successors, and assigns, the right to lay, maintain, operate and remove a pipe line, or pipe lines, for the transportation of gas, oil, petroleum products, or any other liquids, gases or substances, which can be transported through a pipe line, through lands in Rives District, Prince George County, Commonwealth of Virginia, said lands being bounded and described as follows:

On the North by the lands of	Route No. 603
On the East by the lands of	Roper Lumber Company
On the South by the lands of	Joseph J. Chudoba
On the West by the lands of	Route No. 652

*Jan 27
Verified
mailed to
Paul Bacon
Duke
3101 2d. Gas
Richmond.*

Being a parcel of land conveyed by Josephine Wagner to Alexander B. Dickens and Blanche W. Dickens et ux, by Deed dated January 1, 1943, as recorded in Deed Book 123, page 419, in the office of the County Clerk, Prince George County, Va., with the right of ingress and egress to, from and through same.

It is agreed that the gas line to be laid under this grant shall be constructed and maintained below cultivation, so that Grantors may fully use and enjoy the premises, subject to the rights of the Grantee to maintain and operate said line or lines.

The interest of the Grantee in the property covered hereby is to be held by the Grantee subject to the lien of and in accordance with the provisions of the Mortgage and Deed of Trust from the COMMONWEALTH NATURAL GAS CORPORATION to First & Merchants National Bank of Richmond, Virginia, Trustee, which has been, or will be filed for record in the county in which the property covered hereby is situated.

The Grantee is further granted the right at any time to lay additional lines of pipe approximately parallel to the first line herein provided, upon the payment of the price above mentioned for each additional line to be laid.

Grantee further agrees to pay for any damages that may arise from the construction, maintenance, operation and removal of said lines.

Said damages, if not mutually agreed upon, to be ascertained and determined by three disinterested persons: One to be appointed by the undersigned grantors, his successors, heirs or assigns; one by the grantees, its successors or assigns; and the third appointed by the two persons aforesaid; in the event the Grantor and Grantee can not agree upon the third person to be appointed, the appointment of said third person shall be by the Judge of the Circuit Court of Prince George County, and the written award of such three persons, or any two of them, shall be final and conclusive. In the event it becomes necessary to arbitrate the damages, it is understood and agreed that one-half the costs of arbitration shall be borne by each party of this Contract.

It is understood that the persons securing this contract are without authority to make any agreement with respect to the subject matter hereof not herein expressed.

WITNESS the following signatures and seals this, the 27th day of November, 1950.

WITNESS:

James W. Joiner

A. B. Dickens (SEAL)

Audrey T. Joiner

Blanche W. Dickens (SEAL)

In consideration of \$1.00 and other considerations, I, the undersigned, hereby adopt and join in the execution of the above and foregoing grant and consent to the enjoyment by the Grantee therein of the rights granted by the said grant.

Dated this _____ day of _____ 19____.

NONE

COMMONWEALTH OF VIRGINIA

CITY OF RICHMOND, TO-WIT:

I, Anthony T. Layne, a Notary Public in and for the Commonwealth of Virginia at Large do hereby certify that the execution of the foregoing writing bearing date on the 27th day of November, 1950, by A. B. Dickens and Blanche W. Dickens whose names are signed thereto, was proved before me in the City aforesaid by the evidence

DB 143185

and on the oath of James W. Joiner and Audrey T. Joiner, subscribing witnesses to said writing.

Given under my hand this 28th day of November, 1950.

My commission expires: August 6, 1954.

Anthony T. Layne
NOTARY PUBLIC

STATE OF VIRGINIA

COUNTY OF PRINCE GEORGE, TO-WIT:

In the Clerk's Office of the Circuit Court of said County, the 5th day of December, 1950.

This deed was presented, and with the certificate annexed, admitted to record at 11 o'clock A. M.

TESTE:

Ginger R. Walters

CLERK

A. B. DICKENS & WIFE

TO) PERMIT

COMMONWEALTH NATURAL GAS CORP.

FOR AND IN CONSIDERATION OF THE SUM OF Twenty-five & no/100 (\$25.00), in hand paid, receipt of which/^{is}hereby acknowledged, A. B. Dickens and Blanche W. Dickens, for themselves, their heirs, executors, administrators and assigns, hereby grant to Commonwealth Natural Gas Corporation, its successors and assigns, the right to install, operate, maintain, remove and replace gate vales, blow-offs, pipe fittings and appurtenances in connection with the construction, operation and maintenance of grantee's pipe line upon a tract of land not to exceed 12' x 20' in dimensions, together with the right of access to and egress from, described as follows:

Located on a parcel of land bounded on the North by Route No. 603; on the East by Roper Lumber Company; on the South by Joseph J. Chudoba; on the West by Route No. 652.

Being a parcel of land conveyed by Josephine Wagner to Alexander B. Dickens and Blanche W. Dickens, et ux, by Deed dated January 1, 1943, as recorded in Deed Book 123, page 419, in the office of the County Clerk, Prince George County, Virginia.

The grantee and its successors and assigns to have the right to erect a fence around said plot or any part thereof.

Grantee shall not be liable for any damage to the surface of the tract last above described nor to crops or improvements thereon, but shall pay grantor for all damages to crops, pasture and fences located on adjoining lands of grantor arising from the exercise of rights herein granted.

The rights herein granted may be assigned in whole or in part.

Signed and delivered on this 27th day of November, 1950.

IN THE PRESENCE OF:

James W. Joiner

Audrey T. Joiner

A. B. Dickens (SEAL)

Blanche W. Dickens (SEAL)

*Jan 28/51
Verified
mailed to
J. B. Bacon
Blanche
3101 N. Ganga
Richmond 2.
Va.*

COMMONWEALTH OF VIRGINIA

CITY OF RICHMOND, TO-WIT:

I, Anthony T. Layne, a Notary Public in and for the Commonwealth of Virginia at Large do hereby certify that the execution of the foregoing writing bearing date on the 27th day of November, 1950, by A. B. Dickens and Blanche W. Dickens, whose names are signed thereto, was proved before me in the City aforesaid by the evidence and on the oath of James W. Joiner and Audrey T. Joiner, subscribing witnesses to said writing.

Given under my hand this 28th day of November, 1950.

My commission expires: August 6, 1954.

Anthony T. Layne
NOTARY PUBLIC

STATE OF VIRGINIA

COUNTY OF PRINCE GEORGE, TO-WIT:

In the Clerk's Office of the Circuit Court of said County, the 5th day of December, 1950.

This deed was presented, and with the certificate annexed, admitted to record at 11 o'clock A. M.

TESTE:

Benjamin Waller

CLERK

J. LEWIS UPCHURCH & WIFE

TO) DEED

G. R. HASKETT, et als, TRS.

THIS DEED, made this 11th day of September, in the year 1950, by and between J. LEWIS UPCHURCH and MABEL UPCHURCH, his wife, parties of the first part, and G. R. HASKETT, L. P. WHITE and H. L. MORRISON, TRUSTEES, parties of the second part.

WITNESSETH: That for and in consideration of the sum of one dollar, cash in hand paid by the parties of the second part to the parties of the first part, the receipt whereof is hereby acknowledged, the said parties of the first part do hereby grant, bargain, sell and convey, with GENERAL WARRANTY, unto the said G. R. Haskett, L. P. White and H. L. Morrison, Trustees, parties of the second part, for the uses and purposes hereinafter set forth, the following described property, to-wit:

All those certain lots or parcels of land, situate in Bland Magisterial District, Prince George County, Virginia, and known, numbered and designated on a plat or plan of Kenwood Heights, made by J. W. Pugh, C.E., and recorded in the clerk's office of said county in Plat Book 6, page 219, as Lot eighteen (18) and the adjacent seven feet of Lot No. nineteen (19), Block Nine (9); it being a part of the same property conveyed to the said J. Lewis Upchurch by deed from Percy J. Booth and wife, dated November 3, 1941, and recorded in said clerk's office in Deed Book 121, page 510.

This conveyance is made to the aforesaid trustees for the use and benefit of Kenwood Heights Gospel Hall, a religious congregation, so long as the said property is used by Kenwood Heights Gospel Hall for religious purposes. In the event the

*in 27/51
certified
mailed to
A. L. Morrison
21- Howell*

*Plat Book 6
Page 21*

Deceased 5-15-86
County Engineer

BOOK 284 PAGE 363

10/6
5-1-86

THIS DEED AND PARTIAL RELEASE, made this 19th day of February 1986, by and between KERMIT ELLEDGE and CHRISTINE D. ELLEDGE, husband and wife, parties of the first part, and THE BANK OF SOUTHSIDE VIRGINIA, a Virginia Corporation, party of the second part, and F. LEWIS WYCHE, JR., sole acting trustee, Trustees, party of the third part, and THE COUNTY OF PRINCE GEORGE, VIRGINIA, a Virginia municipality, party of the fourth part.

W I T N E S S E T H:

WHEREAS, by deed of trust dated May 17, 1974, and recorded in the Clerk's Office of the Circuit Court of Prince George County, Virginia, in Deed Book 219, at Page 224, the said parties of the first part conveyed to the parties of the third part a certain parcel of land situate in Prince George County, Virginia.

IN TRUST, to secure a note in the amount of Thirty Thousand Dollars (\$30,000.00) of even date of said deed of trust, which note is payable to The Bank of Southside Virginia and signed by the parties of the first part; and

WHEREAS, by deed of trust dated November 25, 1975, and recorded in the Clerk's Office of the Circuit Court of Prince George County, Virginia, in Deed Book 224, at page 389, the said parties of the first part conveyed to the parties of the third part a certain parcel of land situate in Prince George County, Virginia.

IN TRUST, to secure a note in the amount of Seven Thousand, One Hundred Dollars (\$7,100.00) of even date of said deed of trust, which note is payable to The Bank of Southside Virginia and signed by the parties of the first part; and

218/538

WHEREAS, the noteholder, The Bank of Southside Virginia, in the above referred deeds of trust has agreed to release certain pieces of the aforementioned land, and

NOW THEREFORE WITNESSETH: That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration the parties of the first part and the parties of the third part do hereby grant and convey, with GENERAL WARRANTY OF TITLE, unto the party of the fourth part, a perpetual easement to construct, maintain, operate and repair a sanitary wastewater collection and conveyance system on the following described property, to-wit:

All that certain tract or parcel of land, lying and being situate in Rives Magisterial District, Prince George County, Virginia, and more particularly shown as Permanent Easement on a plat dated January 29, 1986 by J. K. Timmons & Associates, P.C., Engineers, Surveyors, Planners, Hopewell, Virginia; said plat being attached hereto and made a part of this instrument; Reference is made to said plat for a more particular location of the Permanent Easement hereby conveyed.

Being part of the same property conveyed to the parties of the first part by deed dated March 15, 1974 and duly of record in the Clerk's Office of the Circuit Court of Prince George County, Virginia, in Deed Book 218, at page 536.

NOW THEREFORE WITNESSETH: That for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid, the receipt of which is hereby acknowledged, the parties of the first part and the party of the third part, do hereby grant and convey, with GENERAL WARRANTY OF TITLE, unto the party of the fourth part, a temporary construction easement for the purpose of installing and establishing a sewage system across the property of the parties of the first part as hereinafter described. This temporary construction easement is given to the party of the fourth part to enable them to construct and install a sanitary wastewater and conveyance

system and upon the conclusion of such construction and installation, shall revert unto the parties of the first part; and for that purpose is hereby conveyed a temporary construction easement on the following described property, to-wit:

All that certain tract or parcel of land, lying and being situate in Rives Magisterial District, Prince George County, Virginia, and more particularly described as temporary construction easement on the plat hereinabove described and attached hereto; Reference is made to said plat for a more particular description of the location of the temporary construction easement hereby conveyed.

This conveyance is made subject to the restrictions, conditions, rights of way and easements, if any contained in the instrument forming the chain of title to this property.

The Grantors covenant that they have the right to convey the aforesaid perpetual easement and temporary easement unto the Grantee; that the Grantee shall have quiet possession thereof; that the said Grantors have done no act to encumber said land and that they will execute such further assurances of the land as may be requisite.

The conveyance of this temporary construction easement and perpetual easement is hereby accepted by the County of Prince George, a Virginia municipality, as evidenced by the signature of the County Administrator, attached hereto; and is approved as to form as evidenced by the signature of the Attorney for the Commonwealth of the aforesaid county, attached hereto.

WITNESS the following signatures and seals:

Kermit Elledge (SEAL)
Kermit Elledge

Christine D. Elledge (SEAL)
Christine D. Elledge

THE BANK OF SOUTHSIDE VIRGINIA

By Carl R. Thornton
Vice-President

F. Lewis Wyche, Jr.
F. Lewis Wyche, Jr., sole acting trustee

THE COUNTY OF PRINCE GEORGE, VIRGINIA,
a Virginia municipality

By [Signature]
County Administrator

By H. Mark Robertson
Commonwealth's Attorney

STATE OF VIRGINIA

COUNTY OF PRINCE GEORGE, to-wit:

The foregoing instrument was acknowledged before me in my
County and State aforesaid, by Kermit Elledge and Christine D. Elledge,
this 20th day of February, 1986.

My commission expires: 4/4/89

[Signature]
Notary Public

STATE OF VIRGINIA

COUNTY OF PRINCE GEORGE, to-wit:

The foregoing instrument was acknowledged before me in my
County and State aforesaid, by Carl R. Thornton,

Vice-President of The Bank of Southside Virginia, this 25th day of February, 1986.

My commission expires: 2-24-87


Notary Public

STATE OF VIRGINIA

COUNTY OF PRINCE GEORGE, to-wit:

The foregoing instrument was acknowledged before me in my County and State aforesaid, by F. Lewis Wyche, Jr., sole-acting trustee, this 25th day of February, 1986.

My commission expires: 4/4/89


Notary Public

STATE OF VIRGINIA

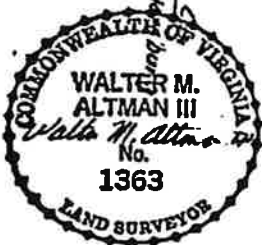
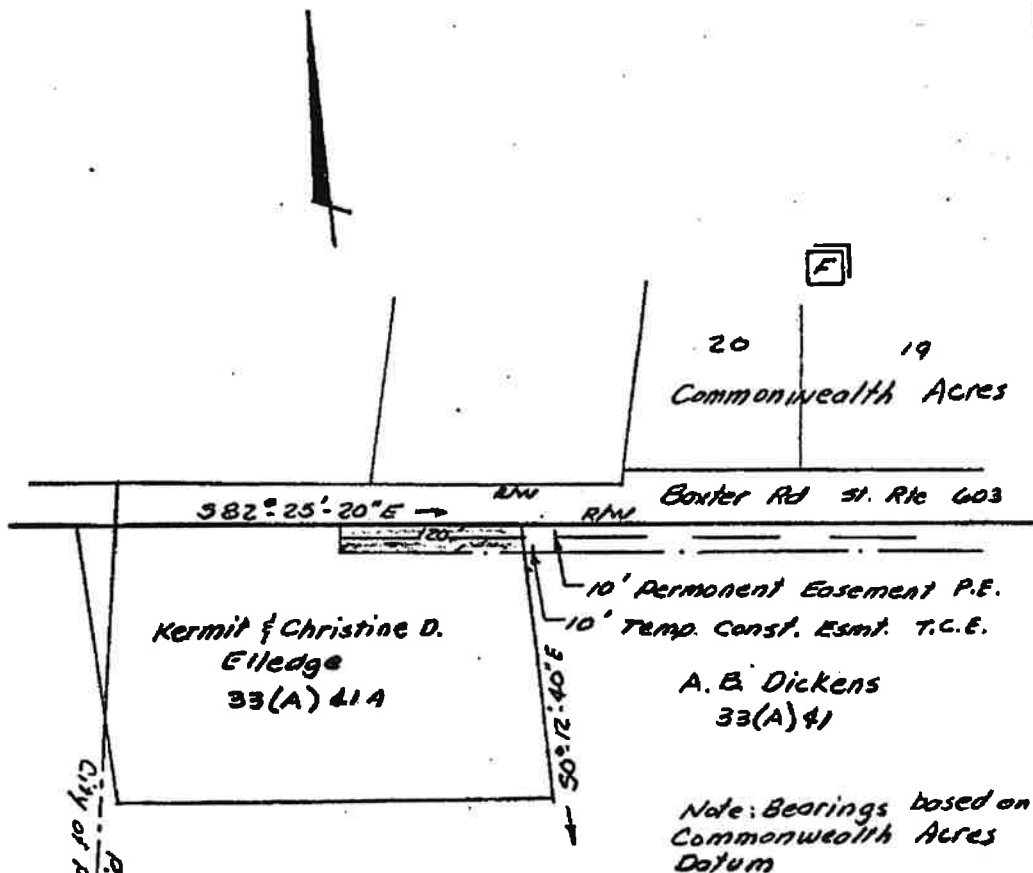
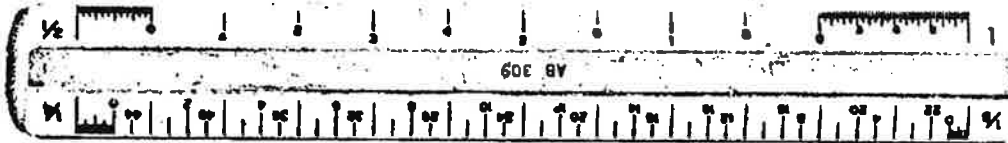
COUNTY OF PRINCE GEORGE, to-wit:

The foregoing instrument was acknowledged before me in my County and State aforesaid, by John G. Kines, Jr., County Administrator, and H. Martin Robertson, Commonwealth's Attorney, this 21st day of February, 1986.

My commission expires: 4/4/89


Notary Public

BOOK 284 PAGE 368



**PLAT SHOWING SANITARY SEWER EASEMENT
ACROSS THE PROPERTY OF**

KERMIT & CHRISTINE D ELLEDGE

RIVES DISTRICT

PRINCE GEORGE CO., VIRGINIA

24

Tax Map No 33(A) 41A

T.C.E. - Temporary Construction Easement
P.E. - Permanent Easement (Sanitary)
L - Property Line

SCALE 1" = 100'
DATE 1/29/86

J.K. TIMMONS & ASSOCIATES, P.C.
ENGINEERS · SURVEYORS · PLANNERS
HOPEWELL, VIRGINIA

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF PRINCE GEORGE COUNTY ON MAY 1, 1986, AT 8:46 O'CLOCK A.M. The foregoing instrument was received and with the certificate & plat annexed, admitted to record.

TESTE:

Kenneth L. Figg, Jr. CLERK

**LAST WILL AND TESTAMENT
OF**

CHRISTINE D. ELLEDGE

CWF210000042

I, Christine D. Elledge, a resident of Prince George County, Virginia, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all wills and codicils heretofore made by me at any time.

**ARTICLE ONE
PAYMENT OF DEBTS**

I direct my Executor, hereinafter named, to pay out of my estate, as promptly as practicable after my death, all of my just debts, funeral expenses including the cost of a suitable grave marker if one be needed, and all costs of administration of my estate, and for those purposes I empower my Executor to use and convey any portion of my estate, real or personal.

**ARTICLE TWO
PAYMENT OF TAXES**

My Executor shall pay or arrange for the payment of all estate, inheritance, and similar taxes payable by reason of my death as a cost of administering my estate without apportionment, except that generation-skipping transfer taxes, if any, shall be apportioned. This includes taxes on assets not passing under this will and interest on taxes.

- Prepared by -
W. Edward Tomko, III
Novey and Tomko Law Firm
6615 Courthouse Road
Post Office Box 1000
Prince George, VA 23875

Initials of

CE
CHRISTINE D. ELLEDGE

**ARTICLE THREE
SPECIFIC BEQUESTS**

I give devise and bequeath the following specific bequests. My account with T. Rowe Price (Account# 30A654000) is to be divided equally amongst my grandchildren listed below:

1. Jessica Wright;
2. Rebecca Wright;
3. Rachel Wright;
4. Sarah Elledge; and
5. Nicole Elledge.

In the event that a grandchild predeceases me or dies simultaneously with me, that grandchild's share shall go to any surviving siblings of that grandchild. If there is no surviving sibling of a deceased grandchild, that grandchild's share shall go to her respective parent (either Kermit L. Elledge or Kay E. Wright), per stirpes.

**ARTICLE FOUR
RESIDUARY ESTATE**

I give, devise and bequeath all the rest, residue and remainder of my estate, both real and personal, wheresoever situate and howsoever held, including any and all property as to which I have the power of testamentary disposition, absolutely and in fee simple to my beloved husband, Kermit Elledge.

In the event my said husband should predecease me or should my husband and I die simultaneously, or it is impossible to determine who died first, I direct that all of my property real and/or personal is to be divided equally amongst my children, Kermit L. Elledge and Kay E. Wright, per stirpes.

- Prepared by -
W. Edward Tomko, III
Novoy and Tomko Law Firm
6615 Courthouse Road
Post Office Box 1000
Prince George, VA 23876

Initials of

COE
CHRISTINE D. ELLEDGE

**ARTICLE FIVE
TRUST PROVISIONS**

1. If any beneficiary in Article Three or any Article of this will is under the age of twenty-five (25) years at the time of my death, then I give the share of such beneficiary to my Trustee, hereinafter named, IN TRUST, to hold and manage for the benefit of the beneficiary.
2. My Trustee is hereby expressly authorized to compound said shares as to facilitate trust management and to maximize return on principal, but he/she shall at all times maintain such control as to be able to distribute principal upon termination of the trust as herein provided.
3. Income from the principal shall be commingled so as to constitute a single fund from which my Trustee shall pay to my children, or for their benefit, such sums, in such proportions or shares, as my Trustee may, in his/her sole discretion, deem appropriate for the support, maintenance, welfare, and education (not exceeding four (4) years of college) of each my aforesaid children, it being my desire that distribution be based upon need without any requirement of equality.
4. In the event that the needs of one or more of the beneficiaries hereunder exceed the total trust income, my Trustee is hereby directed to invade the share or shares of trust principal allotted to that child or children to the extent deemed necessary by the said Trustee. In no event shall the exhaustion of any child's share of trust principal disqualify said child from participating in the distribution of the income earned from the remaining trust principal.
5. All payments of principal and income payable to any beneficiary herein shall be made upon the sole receipt of said beneficiary and shall be free from anticipation, alienation, assignment, attachment, and

Initials of

CD E
CHRISTINE D. ELLEDGE

pledge, and free from the control by the creditors of any such beneficiary, to the extent permitted by law.

6. Upon a child becoming the age of twenty-five (25) years, he or she may withdraw his or her share.
7. When there is no beneficiary under the age of twenty-five (25) years, this trust shall terminate and each child shall receive his or her allotted share of the original trust principal less any amount by which said share was reduced by need to invade the principal. Any accrued income shall be divided equally among my children whether or not any child's share of principal may have been exhausted during the term of the trust.

ARTICLE SIX APPOINTMENT OF TRUSTEE FOR MINORS

In the event that any of my beneficiaries are under the age of twenty-five (25) years at the time of my death, I hereby nominate and appoint my son, Kermit L. Elledge, as Trustee of the property of my minor beneficiaries. I further bequest that no surety be required on his bond as such. In the event that Kermit L. Elledge should predecease me or cannot serve in this capacity, then I hereby nominate and appoint Kay L. Wright to serve as substitute trustee under the terms of the trust herein created and request that no surety be required of her upon her bond as such.

ARTICLE SEVEN APPOINTMENT OF EXECUTOR

I hereby nominate and appoint my son, Kermit L. Elledge, as Executor of this my Last Will and Testament and I request that no surety be required of him on his bond as such. In the event that Kermit L. Elledge should predecease me or cannot serve in this capacity, then I hereby nominate and appoint my daughter, Kay L.

Initials of

CDE

CHRISTINE D. ELLEDGE

Wright, as Executrix of this my Last Will and Testament and I request that no surety be required of her on her bond as such.

ARTICLE EIGHT POWERS OF FIDUCIARY

I hereby expressly confer upon my fiduciaries all the powers and rights set forth in §64.1-57 of the Code of Virginia, 1950, in effect as of the date of the execution of this Will.

IN TESTIMONY WHEREOF, I have set my hand and seal to this my Last Will and Testament consisting of six typewritten pages, and on all pages of which I have placed my initials for security and identification this 24 day of November 2009.

Christine D. Elledge (SEAL)
CHRISTINE D. ELLEDGE

Signed, sealed, published and declared for and as her Last Will and Testament by the testatrix in our presence, we all being present at the same time; and, we, in her presence and at her request and in the presence of each other, have subscribed our names as witnesses whereof, all on the date last above written.

W. Edward Tomko, III of Disputants, VA

Angela Russell of Hopewell, VA

COMMONWEALTH OF VIRGINIA

CITY/COUNTY of Prince George, to wit:

Before me, the undersigned authority, on this date personally appeared Christine D. Elledge, W. Edward Tomko, III and Angela Russell, known to me to be the testatrix and witnesses, respectively, whose names are signed to the foregoing instrument and, all of these persons being by me first duly sworn, Christine D. Elledge, the testatrix, declared to me and to the witnesses in my presence that said instrument is her Last Will and Testament and that she had willingly signed and

Initials of

CDE
CHRISTINE D. ELLEDGE

Page 5 of 6

- Prepared by -
W. Edward Tomko, III
Novoy and Tomko Law Firm
6615 Courthouse Road
Post Office Box 1000
Prince George, VA 23875

executed it in the presence of said witnesses as her free and voluntary act for the purposes therein expressed, that said witnesses stated before me that the foregoing will was executed and acknowledged by the testatrix as her Last Will and Testament in the presence of said witnesses who in her presence and at her request and in the presence of each other did subscribe their names thereto as attesting witnesses on the day of the date of said will and that the testatrix, at the time of the execution of said will, was over the age of eighteen years and of sound and disposing mind and memory.

Sworn and acknowledged before me by Christine D. Elledge, the testatrix,

W. Edward Tomko, III, witness, and Angela Russell, witness, this
24th day of Nov., 2009.

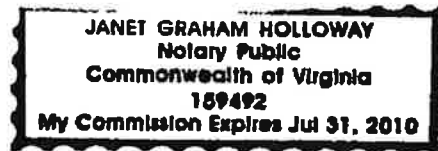
Christine D. Elledge
Christine D. Elledge

[Signature]
Witness

Angela Russell
Witness

Janet Graham Holloway
Notary Public

My Commission expires: July 31, 2010.



- Prepared by -
W. Edward Tomko, III
Novay and Tomko Law Firm
6615 Courthouse Road
Post Office Box 1000
Prince George, VA 23876

Initials of

CDE
CHRISTINE D. ELLEDGE

VIRGINIA: IN THE CIRCUIT COURT OF PRINCE GEORGE COUNTY

COURT FILE NO. 210000042

IN RE: CHRISTINE D ELLEDGE, Deceased

PROBATE OF WILL AND
QUALIFICATION OF EXECUTOR

A paper writing purporting to be the last will and testament of Christine D Elledge, deceased, was this day presented to the Clerk by Kermit L Elledge, a beneficiary or the executor, and offered for probate.

It appearing that the decedent resided at 1546 Baxter Rd Prince George VA 23875, in Prince George County, Virginia, within the jurisdiction of this Court, and died on February 18, 2021; and the paper writing dated November 24, 2009, consisting of six (6) typewritten pages, having been executed and witnessed as provided by Sec. 64.2-452 or 64.2-453 Code of Virginia, it is ESTABLISHED and ADJUDGED to be the true last will and testament of Christine D Elledge, deceased, and is ORDERED to be recorded as such.

Thereupon Kermit L Elledge asked permission to qualify as Executor and such permission was GRANTED. Kermit L Elledge then appeared, made oath as the law directs, and together with NGM Insurance Company, surety, by Ligon Jones, its attorney in fact, entered into and acknowledged a bond as executor in the penalty of \$1,300,000.00. The bond, being payable and conditioned according to law, is ORDERED to be recorded.

Certificate is GRANTED the Executor for obtaining a probate of the will of Christine D Elledge, deceased, in due form.

The statement of responsibilities required by Sec. 64.2-507, Code of Virginia, and the written notice of probate and the affidavit referred to in Sec. 64.2-508, Code of Virginia, were given to the Executor.

 Clerk
March 25, 2021

LIST OF HEIRS

COMMONWEALTH OF VIRGINIA VA. CODE § 64.2-509

Court File No.: 210000042

Prince George County Circuit Court

Christine D Elledge
NAME OF DECEDENTFebruary 18, 2021
DATE OF DEATH

I/We, the undersigned, hereby state under oath that the following are all of the heirs of the Decedent:

NAMES OF HEIRS	ADDRESSES	RELATIONSHIP	AGE
Kermit L Elledge	16033 Cuttysark St Corpus Christi, TX 78418	Son	Adult
Kay E Wright	359 Gonyon Rd Heathersville, VA 22473	Daughter	Adult

[] This LIST OF HEIRS is filed in addition to the LIST OF HEIRS previously filed with this Court on _____
DATE

I/we am/are (please check one):

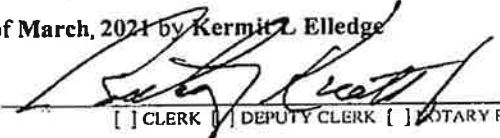
- ☐ Proponent(s) of the will (no qualification)
- ☒ Personal representative(s) of the decedent's estate
- ☐ Heir-at-law of intestate decedent (no qualification within 30 days following death)

Given under my/our hand this twenty fifth day of March, 2021
DATEKermit L Elledge

PRINTED NAME OF SUBSCRIBER

PRINTED NAME OF SUBSCRIBER_____
PRINTED NAME OF SUBSCRIBER
SIGNATURE OF SUBSCRIBER_____
SIGNATURE OF SUBSCRIBER_____
SIGNATURE OF SUBSCRIBER

State of Virginia

City/County of Prince George County, to-wit:Subscribed and sworn to before me this twenty fifth day of March, 2021 by Kermit L Elledge
[] CLERK [] DEPUTY CLERK [] NOTARY PUBLIC

My commission expires _____

Registration No. _____

VIRGINIA: In the Clerk's Office of the Prince George County Circuit Court this twenty fifth day of March, 2021
the foregoing LIST OF HEIRS was filed and admitted to record.Teste: Bishop Knott Jr.
CLERKby:  Deputy Clerk

FIDUCIARY'S BONDCourt File No.: 210000042

KNOW ALL MEN BY THESE PRESENTS, that
KERMIT L ELLEDGE and **NGM INSURANCE COMPANY**
the "OBLIGOR(S)", is(are) held and firmly bound to the **COMMONWEALTH OF VIRGINIA**,
in the sum of One Million Three Hundred Thousand Dollars and 00 Cents, to the payment
whereof I(we) bind myself(ourselves), our heirs, personal representatives, successors and assigns,
jointly and severally, by these presents, hereby waiving the benefit of any homestead exemptions
as to this obligation.

This debt is ☒ UNSECURED ☐ SECURED BY :
☐ CASH ☐ PROPERTY ☐ CORPORATE SURETY ☐ OTHER:

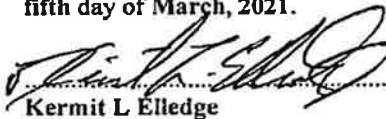
The Conditions of this BOND are:

KERMIT L ELLEDGE, the Obligor(s) was this day qualified as
☐ Administrator ☐ Administrator, c.t.a. ☒ Executor ☐ Curator ☐ Other:

of the Estate of **CHRISTINE D ELLEDGE**, deceased,
this **twenty fifth** day of **March, 2021**.

The Obligor(s) shall faithfully perform all duties required by law of said fiduciary office.
If these conditions are faithfully fulfilled, this obligation shall be void; otherwise it shall
remain in full force and effect.

In witness whereof, the Undersigned have hereunto set their hands and seals, this **twenty
fifth** day of **March, 2021**.

 (SEAL)
Kermit L Elledge

 (SEAL)
LIGON JONES, Attorney-in-Fact for
NGM Insurance Company

.....(SEAL)

.....(SEAL)

.....(SEAL)


.....(SEAL)

Before the Clerk of Prince George County Circuit Court on this **twenty fifth** day of
March, 2021.

The foregoing BOND was subscribed, sworn to and acknowledged by:

Kermit L Elledge and **Ligon Jones Attorney-in-Fact for NGM
Insurance Company**
the obligor(s) therein, and ordered to be recorded as provided by law.

Teste: **BISHOP KNOTT JR.**
CLERK

by  , Deputy Clerk

Court File No. 210000042

COMMONWEALTH OF VIRGINIA

VA. CODE §§ 64.2-1300, 64.2-1308

Circuit Court of Prince George County

Decedent's name: Christine D Elledge

Fiduciary(ies) name(s): Kermit L Elledge

Date of fiduciary's qualification: March 25, 2021

Date of decedent's death: February 18, 2021

This is: ☒ the first inventory ☐ an inventory showing after discovered assets ☐ an amended inventory restating all assets.
The fiduciary filing this inventory is: ☐ an administrator ☒ an executor ☐ a curator.

Total value of assets listed in Parts 1 and 3 (estate for bond)

\$ 7,219,888.⁵¹

Total value of assets listed in Parts 1, 3, and 4 (estate for probate tax)

\$ 1,219,888.51

ATTACH ADDITIONAL SHEETS IF NEEDED

Part 1. The decedent's personal estate under your supervision and control, valued at the date of death.

DESCRIPTION OF PROPERTY	VALUE
- 2016 LINCOLN MKZ AWD - KBB Trade In Val	\$17,800. ⁰⁰
TRP Acct 7150577742-7 Govt Money Market	\$242,329. ⁵⁷
TRP Acct 7150577750-8 Equity Income 305.995 sh @ \$33.11	\$10,131. ⁴⁹
TRP Acct 7150577746-9 High Yield 2,796.592 sh @ \$6.68	\$18,681. ²³
TRP Acct 30Q561893 (See attached inventory of 27 securities)	\$489,396. ²²
TOTAL VALUE OF PART 1:	\$778,338. ⁵¹

DESCRIPTION OF PROPERTY	VALUE
TOTAL VALUE OF PART 2:	

DESCRIPTION OF PROPERTY	VALUE
4.16 Acre land Traci's Lp, Petersburg VA MAP 038-03002 (50%)	\$ 37,050. ⁰⁰
1518 Baxter Rd, Petersburg VA MAP 038-03001	\$ 118,500. ⁰⁰
22,660 Acre Parcel 330(0A)00-041-0 second Swamp (50% interest)	\$ 27,800. ⁰⁰
1546 Baxter Rd, Prince George-Parcel 330(0A)00-041-A	\$ 258,200. ⁰⁰
TOTAL VALUE OF PART 3:	\$ 441,550. ⁰⁰

DESCRIPTION OF PROPERTY	VALUE
TOTAL VALUE OF PART 4:	

Part 5. The decedent's non-Virginia real estate, valued at the date of death.

DESCRIPTION OF PROPERTY	VALUE
TOTAL VALUE OF PART 5:	

CERTIFICATE OF ACCURACY, COMPLETENESS, AND MAILING

[Must be signed by each fiduciary.]

1. I (we) hereby certify and affirm under penalty of law, that to the best of my (our) knowledge and belief this is an accurate and complete inventory of this estate made in accordance with my (our) responsibilities under Virginia law.
2. I (we) hereby also certify and affirm that (choose one):
 - A. ☐ On or before the date of filing this Inventory with the Commissioner of Accounts, I(we) sent a copy of it by first class mail to every person entitled to a copy, pursuant to Virginia Code Section 26-12.4, who made a written request therefor. The names and addresses of the persons to whom copies were sent and the dates they were mailed are shown on Page 4.
 - Or
 - B. ☒ No person entitled to a copy of this Inventory pursuant to Virginia Code Section 26-12.4 made a written request therefor.

Date 15-July-2021 Fiduciary Kermit Lee Elledge
 Address 16033. Cottle St., Corpus Christi, TX 78418
 Telephone No.: 817-505-7324

Date _____ Fiduciary _____
 Address _____
 Telephone No.: _____

Date _____ Fiduciary _____
 Address _____
 Telephone No.: _____

CERTIFICATE OF COMMISSIONER

The Commissioner of Accounts has not independently verified the value of the items on the inventory, or the fact that they are the only assets of the estate.

Inspected, found to be in proper form, and approved on 8/16/21

F. Lewis Hylton
 Commissioner of Accounts

Received in the Clerk's Office and admitted to record on _____

Clerk

Certificate of Mailing

I, the undersigned, do hereby certify that I have mailed a copy of the foregoing INVENTORY FOR DECEDENT'S ESTATE to the following individuals on this the day of 20.....

Executor/Administrator

Executor/Administrator

Executor/Administrator

Name of Recipient		
Address		
City	State	ZIP

Name of Recipient		
Address		
City	State	ZIP

Name of Recipient		
Address		
City	State	ZIP

Name of Recipient		
Address		
City	State	ZIP

Name of Recipient		
Address		
City	State	ZIP

Name of Recipient		
Address		
City	State	ZIP

Add pages as necessary.

Estate Tax Securities Valuation
Name of Estate: Christine Elledge
Account #: 30Q561893
Date of Death: 02/18/2021

Item	T0450Y103	Shares	Description	Price Date	High/Low Price	Low/Bid Price	Mean Price	Security Value
1	149123101	100.0000	Caterpillar, Inc.	02/18/2021	\$202.8800	\$198.5800	\$200.7300	\$ 20,073.00
2	185889101	100.0000	Cleveland-Cliffs, Inc.	02/18/2021	\$17.5789	\$16.5900	\$17.0850	\$ 1,708.50
3	20451N101	100.0000	Compass Minerals International, Inc.	02/18/2021	\$63.5900	\$61.5400	\$62.5650	\$ 8,256.50
4	N22717107	100.0000	Core Laboratories	02/18/2021	\$36.3200	\$34.1000	\$35.2100	\$ 3,521.00
5	226344208	32.0000	Crestwood Equity Partners LP	02/18/2021	\$22.5499	\$21.5700	\$22.0600	\$ 705.92
6	25271C102	100.0000	Diamond Offshore Drilling, Inc.	02/18/2021	\$0.2135	\$0.1900	\$0.2018	\$ 20.18
7	Y2187A135	17.0000	Eagle Bulk Shipping, Inc.	02/18/2021	\$0.1600	\$0.1200	\$0.1400	\$ 2.38
8	278842103	200.0000	Ebay, Inc.	02/18/2021	\$83.3500	\$82.2200	\$82.7850	\$ 12,557.00
9	G3682E192	40.0000	Frontline Ltd.	02/18/2021	\$7.4000	\$7.1600	\$7.2800	\$ 291.20
10	H2906T109	150.0000	Gamlin Ltd.	02/18/2021	\$131.4200	\$126.7362	\$129.0781	\$ 19,361.72
11	368651107	400.0000	Gartner, Inc.	02/18/2021	\$182.2100	\$176.0850	\$179.1375	\$ 71,655.00
12	375558103	300.0000	Gilead Sciences, Inc.	02/18/2021	\$65.4600	\$64.3300	\$64.8950	\$ 19,468.50
13	406216101	200.0000	Halliburton Co.	02/18/2021	\$20.3700	\$18.3850	\$19.8775	\$ 3,975.50
14	461202103	200.0000	Intl. Inc.	02/18/2021	\$420.0000	\$408.4300	\$414.2150	\$ 82,843.00
15	468313103	150.0000	Jabil, Inc.	02/18/2021	\$44.4350	\$43.6450	\$44.0400	\$ 6,606.00
16	478180104	100.0000	Johnson & Johnson	02/18/2021	\$168.1600	\$164.3000	\$165.2300	\$ 16,523.00
17	500643200	225.0000	Korn Ferry	02/18/2021	\$56.7500	\$54.7200	\$55.7350	\$ 12,540.38
18	548681107	200.0000	Lowes Co.	02/18/2021	\$178.0500	\$175.3450	\$176.8975	\$ 35,339.50
19	550241103	150.0000	Lumen Technologies, Inc.	02/18/2021	\$11.8000	\$11.6500	\$11.7750	\$ 1,768.25
20	631103108	200.0000	NASDAQ, Inc.	02/18/2021	\$145.4700	\$143.6301	\$144.5501	\$ 28,910.01
21	68388X105	300.0000	Oracle Corp.	02/18/2021	\$62.2050	\$61.8800	\$61.9325	\$ 18,579.75
22	70450Y103	200.0000	Paypal Holdings, Inc.	02/18/2021	\$282.9700	\$285.0300	\$289.0000	\$ 57,800.00
23	756109104	200.0000	Realty Income Corp.	02/18/2021	\$61.7400	\$60.8400	\$61.2900	\$ 12,258.00
24	761152107	200.0000	Resmed, Inc.	02/18/2021	\$201.4499	\$198.2100	\$198.8300	\$ 39,765.99
25	858119100	200.0000	Steel Dynamics, Inc.	02/18/2021	\$40.5400	\$39.2800	\$39.9100	\$ 7,962.00
26	876030107	100.0000	Tapestry, Inc.	02/18/2021	\$38.4900	\$37.8800	\$38.0850	\$ 3,808.50
27	902681105	127.0000	UGI Corp.	02/18/2021	\$40.4500	\$39.5100	\$39.9800	\$ 5,077.48
Total								\$ 489,396.22

VIRGINIA
IN THE CLERK'S OFFICE OF
PRINCE GEORGE CIRCUIT COURT
AUGUST 18, 2021 AT 01:59 PM
WILLS/FIDUCIARY
INSTRUMENT #210000042 WAS RECORDED
UPON CERTIFICATION OF ACKNOWLEDGEMENT
THERETO ANNEXED, ADMITTED TO RECORD.
THE FEE AND TAX OF \$18.00 IMPOSED
BY LAW HAVE BEEN PAID (RCPT 21000007130)
TESTE: BISHOP KNOTT, CLERK

RECORDED BY: JZQ

**LAST WILL AND TESTAMENT
OF**

KERMIT ELLEDGE
CWF210000048

I, Kermit Elledge, a resident of Prince George County, Virginia, being of sound and disposing mind and memory, do hereby make, publish and declare this to be my Last Will and Testament, hereby revoking any and all wills and codicils heretofore made by me at any time.

**ARTICLE ONE
PAYMENT OF DEBTS**

I direct my Executor, hereinafter named, to pay out of my estate, as promptly as practicable after my death, all of my just debts, funeral expenses including the cost of a suitable grave marker if one be needed, and all costs of administration of my estate, and for those purposes I empower my Executor to use and convey any portion of my estate, real or personal.

**ARTICLE TWO
PAYMENT OF TAXES**

My Executor shall pay or arrange for the payment of all estate, inheritance, and similar taxes payable by reason of my death as a cost of administering my estate without apportionment, except that generation-skipping transfer taxes, if any, shall be apportioned. This includes taxes on assets not passing under this will and interest on taxes.

- Prepared by -
W. Edward Tomko, III
Novay and Tomko Law Firm
6615 Courthouse Road
Post Office Box 1000
Prince George, VA 23875

Initials of

KE

KERMIT ELLEDGE

**ARTICLE THREE
RESIDUARY ESTATE**

I give, devise and bequeath all the rest, residue and remainder of my estate, both real and personal, wheresoever situate and howsoever held, including any and all property as to which I have the power of testamentary disposition, absolutely and in fee simple to my beloved wife, Christine D. Elledge.

In the event my said wife should predecease me or should my wife and I die simultaneously, or it is impossible to determine who died first, I direct that all of my property real and/or personal is to be sold and divided equally amongst my children, Kermit L. Elledge and Kay E. Wright, per stirpes.

**ARTICLE FOUR
TRUST PROVISIONS**

1. If any beneficiary in Article Three or any Article of this will is under the age of twenty-five (25) years at the time of my death, then I give the share of such beneficiary to my Trustee, hereinafter named, IN TRUST, to hold and manage for the benefit of the beneficiary.
2. My Trustee is hereby expressly authorized to compound said shares as to facilitate trust management and to maximize return on principal, but he/she shall at all times maintain such control as to be able to distribute principal upon termination of the trust as herein provided.
3. Income from the principal shall be commingled so as to constitute a single fund from which my Trustee shall pay to my children, or for their benefit, such sums, in such proportions or shares, as my Trustee may, in his/her sole discretion, deem appropriate for the support, maintenance, welfare, and education (not exceeding four (4) years of

Prepared by -
W. Edward Tomko, III
Novay and Tomko Law Firm
6615 Courthouse Road
Post Office Box 1000
Prince George, VA 23875

Initials of
K E

KERMIT ELLEDGE

- Prepared by -
W. Edward Tomko, III
Novey and Tomko Law Firm
6615 Courthouse Road
Post Office Box 1000
Prince George, VA 23875

- college) of each my aforesaid children, it being my desire that distribution be based upon need without any requirement of equality.
4. In the event that the needs of one or more of the beneficiaries hereunder exceed the total trust income, my Trustee is hereby directed to invade the share or shares of trust principal allotted to that child or children to the extent deemed necessary by the said Trustee. In no event shall the exhaustion of any child's share of trust principal disqualify said child from participating in the distribution of the income earned from the remaining trust principal.
 5. All payments of principal and income payable to any beneficiary herein shall be made upon the sole receipt of said beneficiary and shall be free from anticipation, alienation, assignment, attachment, and pledge, and free from the control by the creditors of any such beneficiary, to the extent permitted by law.
 6. Upon a child becoming the age of twenty-five (25) years, he or she may withdraw his or her share.
 7. When there is no beneficiary under the age of twenty-five (25) years, this trust shall terminate and each child shall receive his or her allotted share of the original trust principal less any amount by which said share was reduced by need to invade the principal. Any accrued income shall be divided equally among my children whether or not any child's share of principal may have been exhausted during the term of the trust.

Initials of

KE

KERMIT ELLEDGE

**ARTICLE FIVE
APPOINTMENT OF TRUSTEE FOR MINORS**

In the event that any of my beneficiaries are under the age of twenty-five (25) years at the time of my death, I hereby nominate and appoint my son, Kermit L. Elledge, as Trustee of the property of my minor beneficiaries. I further bequest that no surety be required on his bond as such. In the event that Kermit L. Elledge should predecease me or cannot serve in this capacity, then I hereby nominate and appoint Kay L. Wright to serve as substitute trustee under the terms of the trust herein created and request that no surety be required of her upon her bond as such.

**ARTICLE SIX
APPOINTMENT OF EXECUTOR**

I hereby nominate and appoint my son, Kermit L. Elledge, as Executor of this my Last Will and Testament and I request that no surety be required of him on his bond as such. In the event that Kermit L. Elledge should predecease me or cannot serve in this capacity, then I hereby nominate and appoint my daughter, Kay L. Wright, as Executrix of this my Last Will and Testament and I request that no surety be required of her on her bond as such.

**ARTICLE SEVEN
POWERS OF FIDUCIARY**

I hereby expressly confer upon my fiduciaries all the powers and rights set forth in §64.1-57 of the Code of Virginia, 1950, in effect as of the date of the execution of this Will.

IN TESTIMONY WHEREOF, I have set my hand and seal to this my Last Will and Testament consisting of six typewritten pages, and on all pages of which I have placed my initials for security and identification this 24th day of Nov., 2009.

Initials of

KE
KERMIT ELLEDGE

Kermit Elledge (SEAL)
KERMIT ELLEDGE

Signed, sealed, published and declared for and as his Last Will and Testament by the testator in our presence, we all being present at the same time; and, we, in his presence and at his request and in the presence of each other, have subscribed our names as witnesses whereof, all on the date last above written.

W. Edward Tomko, III of Disputanta, VA

Angela Russell of Hopewell, VA

COMMONWEALTH OF VIRGINIA

CITY/COUNTY of Prince George, to wit:

Before me, the undersigned authority, on this date personally appeared Kermit Elledge, W. Edward Tomko, III and Angela Russell, known to me to be the testator and witnesses, respectively, whose names are signed to the foregoing instrument and, all of these persons being by me first duly sworn, Kermit Elledge, the testator, declared to me and to the witnesses in my presence that said instrument is his Last Will and Testament and that he had willingly signed and executed it in the presence of said witnesses as his free and voluntary act for the purposes therein expressed, that said witnesses stated before me that the foregoing will was executed and acknowledged by the testator as his Last Will and Testament in the presence of said witnesses who in his presence and at his request and in the presence of each other did subscribe their names thereto as attesting witnesses on the day of the date of said will and that the testator, at the time of the execution of said will, was over the age of eighteen years and of sound and disposing mind and memory.

Sworn and acknowledged before me by Kermit Elledge, the testator,

W. Edward Tomko, III, witness, and Angela Russell, witness, this
24th day of Nov., 2009.

Kermit Elledge
Kermit Elledge

W. Edward Tomko, III
Witness

Initials of

KE
KERMIT ELLEDGE

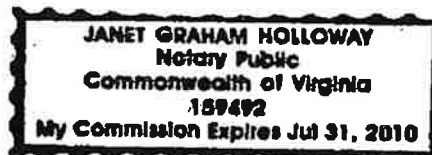
Page 5 of 6

- Prepared by -
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6615 Courthouse Road
Post Office Box 1000
Prince George, VA 23876

Angela Purse
Witness

Janet Graham Holloway
Notary Public

My Commission expires: July 31, 2010



- Prepared by -
W. Edward Tomko, III
Novey and Tomko Law Firm
6615 Courthouse Road
Post Office Box 1000
Prince George, VA 23876

Initials of

KE
KERMIT ELLEDGE

VIRGINIA: IN THE CIRCUIT COURT OF PRINCE GEORGE COUNTY

COURT FILE NO. 210000048

IN RE: KERMIT ELLEDGE, Deceased

PROBATE OF WILL
NO QUALIFICATION

A paper writing purporting to be the last will and testament of Kermit Elledge, deceased, was this day presented to the Clerk by Kermit Elledge, a beneficiary or the executor, and offered for probate.

It appearing that the decedent resided at 1546 Baxter Rd Prince George VA 23875. in Prince George County, Virginia, within the jurisdiction of this Court, and died on December 5, 2014; and the paper writing dated November 24, 2009, consisting of six (6) typewritten pages, having been executed and witnessed as provided by Sec. 64.2-452 or 64.2-453, Code of Virginia, it is ESTABLISHED and ADJUDGED to the true last will and testament of Kermit Elledge, deceased, and it is ORDERED to be recorded as such.

The written notice of probate and the affidavit referred to in Sec. 64.2-508, Code of Virginia, were given to the proponent.

 Clerk
March 25, 2021

LIST OF HEIRS

COMMONWEALTH OF VIRGINIA VA. CODE § 64.2-509

Case File No.: 210000048

Prince George County Circuit Court

Kermit Elledge
NAME OF DECEDENTDecember 5, 2014
DATE OF DEATH

I/We, the undersigned, hereby state under oath that the following are all of the heirs of the Decedent:

NAMES OF HEIRS	ADDRESSES	RELATIONSHIP	AGE
Christine D Elledge	1546 Baxter Rd Prince George, VA 23875	Wife	Adult

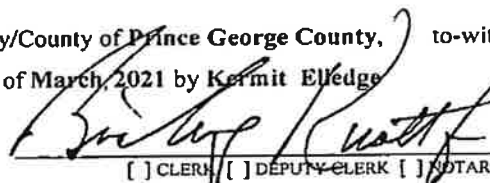
[] This LIST OF HEIRS is filed in addition to the LIST OF HEIRS previously filed with this Court on
DATE

I/we am/are (please check one):

- ☒ Proponent(s) of the will (no qualification)
☐ Personal representative(s) of the decedent's estate
☐ Heir-at-law of intestate decedent (no qualification within 30 days following death)


Given under my/our hand this twenty fifth day of March, 2021
DATEKermit Elledge
PRINTED NAME OF SUBSCRIBER
SIGNATURE OF SUBSCRIBER_____
PRINTED NAME OF SUBSCRIBER_____
SIGNATURE OF SUBSCRIBER_____
PRINTED NAME OF SUBSCRIBER_____
SIGNATURE OF SUBSCRIBER

State of Virginia

City/County of Prince George County, to-wit:Subscribed and sworn to before me this twenty fifth day of March, 2021 by Kermit Elledge
[] CLERK [] DEPUTY CLERK [] NOTARY PUBLIC

My commission expires

Registration No.

VIRGINIA: In the Clerk's Office of the Prince George County Circuit Court this twenty fifth day of March, 2021
the foregoing LIST OF HEIRS was filed and admitted to record.Teste: Bishop Knott Jr.
CLERKby , Deputy Clerk

AFFIDAVIT OF NOTICE REGARDING ESTATE OF: KERMIT ELLEDGE(who died on December 5, 2014)Case No. 210000048

I/we, the undersigned, state under oath/affirm the following:
(Check the applicable block)

1. ☐ I/we am/are a personal representative of the estate of the deceased person named above.☒ I/we am/are a proponent of the will of the deceased person named above.☐ I/we am/are a person with an interest in the estate of the deceased person named above.2. ☒ No notice was required to be given to any person pursuant to Va. Code § 64.2-508.

OR

☐ I/we mailed or delivered within 30 days of qualification (or probate) a copy of the notice required by Va. Code § 64.2-508 to the following persons shown below:

	NAME	ADDRESS WHERE MAILED OR DELIVERED	DATE MAILED OR DELIVERED
a.			
b.			
c.			
d.			
e.			

(Attach additional pages if more space is needed)

(Check if applicable)

3. ☐ After exercising reasonable diligence, I/we have been unable to determine the address of the following persons to whom such notice is required:

(Check if applicable)

4. ☐ After exercising reasonable diligence, I/we have been unable to identify the names and addresses of the persons described below (such as a child of the deceased person) who may be an heir or beneficiary:3/25/2021
DATE[Signature]
SIGNATURE

DATE

SIGNATURE

Commonwealth/State of Virginia☐ City ☒ County of Prince GeorgeSubscribed and sworn to/affirmed before me on this 25 day of March, 2021by _____
PRINT NAME(S) OF SIGNATORY3/25/2021
DATE[Signature]
☐ CLERK ☐ DEPUTY CLERK ☐ NOTARY PUBLIC

Notary Registration No. _____ My commission expires _____

NOTICE: This affidavit must be recorded in the Clerk's office where the personal representative qualified or the will was probated.

VIRGINIA: In the Clerk's Office of the Prince George County Circuit Court

this 25 day of March, 2021

The foregoing Affidavit of Notice was this day admitted to record.

Tested: [Signature], Clerk

by _____, Deputy Clerk

Christine Dickens Elledge, 83 of Prince George, passed away on Thursday, February 18, 2021 in Corpus Christi, Tx. She was preceded in death by her husband of 60 years, Kermit Elledge, her parents, Alexander B and Blanche Wood Dickens; brothers, Horace L Dickens, William Marion Dickens and Walter Marvin Dickens, her sister Carolyn Dickens Vaughn, and a daughter in law, Maureen Elledge.

Christine retired as a Registered Nurse after many years of service at Petersburg General Hospital and later at John Randolph Hospital. She was a member of Trinity United Methodist Church in Disputanta.

She is survived by her son, Lee Elledge (Greta); daughter, Kay Wright (John); grandchildren, Sarah Elledge, Nicole Elledge Powers (Steve), Jessica Wright May(Nathan), Rebecca Wright, Rachel Wright Dill (Michael) along with three great grandchildren, numerous nieces, nephews and other extended family and friends.

A graveside funeral service will be held on Friday March 5, 2021 at 11:00 AM in Southlawn Memorial Park. Pastor Terri Swindell of Disputanta Trinity UMC and Christine's son in law, Pastor John Wright, of Fairfields UMC and Afton UMC in Northumberland, Va will lead the service. The family is requesting that in lieu of flowers donations be made in her memory to The Alzheimer's Association (www.alz.org).

Kermit Elledge, 80 of Prince George, passed away on Friday, December 5, 2014. He was preceded in death by his parents, Ransom and Alice Monday Elledge; brothers, Kenneth Elledge, Rufus Elledge, and a daughter in law, Maureen Elledge. Kermit retired from Allied Chemical (Honeywell) after 30 years of service and was a member of Trinity United Methodist Church in Disputanta. He is survived by his loving wife of 60 years, Christine Dickens Elledge; son, Lee Elledge; daughter, Kay Wright and her husband, John; grandchildren, Sarah Elledge, Nicole Elledge, Jessica May and her husband, Nathan, Rebecca Wright, Rachel Wright; brother, Richard Elledge; sisters, Sue Chambers, and her husband, Luther, Frances Boyles, Barbara Miles and her husband, Richard, Billie Stamp and her husband, Cal, Ellie Elledge and her husband, Gene; numerous nieces, nephews and other extended family and friends. A funeral service will be held at 1:00pm at the Petersburg Chapel of J.T. Morriss & Son Funeral Home and Cremation Service on Tuesday, December 9, 2014 with visitation to be held 1 hour prior. Interment to follow in Southlawn Memorial Park. Condolences may be registered at www.jtmorriss.com.

**TIMMONS GROUP
DEED ABSTRACT**

GRANTOR:

Josephine Wagner,
Widow

Type of Conveyance

Deed

DB 246 PG 546; Inst. #

Dated

4/19

Jan 1, 1943

Recorded

TO

Date of Acknowledgement

GRANTEE:

A.B. Dickens
Blanchew. Dickens

Execution Acknowledgement

Consideration

Granting Clause

Warranty English Covenants

Dower/Curtesy Released

DESCRIPTION

Lot Block Section Phase

Subdivision

Street Address

Acreage

41.4 ACRES

Plat Book Page(s) Court

Plat attached to this Instrument?

NOTES:

135/13 DOM POLO

142/572 VA NAT GAS

143/183 VA NAT GAS

143/185 VA NAT GAS

151/182 VA NAT GAS. X

RESTRICTIVE COVENANTS:

EASEMENTS/RIGHTS OF WAY:

DEED OF TRUST:

DB/PG 123/420

RELEASE DB/PG

Released

DB/PG

RELEASE DB/PG

DB/PG

RELEASE DB/PG

BEING CLAUSE:

DB/PG



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager
Tangela Innis, Deputy City Manager

FROM: Reginald Tabor

RE: A public hearing on the consideration of an Ordinance Amending the City's Zoning Ordinance to permit Micro-Brewery, Micro-Cidery and Micro-Winery in the B-1 Zoning District. (page 99)

PURPOSE: A Public Hearing and consideration of an Ordinance approving an amendment to the City's Zoning Ordinance.

REASON: To comply with applicable procedures and laws regarding the consideration of amendments to the City's Comprehensive Plan.

RECOMMENDATION: It is recommended that the City Council holds a Public Hearing and approves an amendment to the City's Zoning Ordinance to permit Micro-Breweries, Micro-Cideries and Micro-Wineries in the B-1 Zoning District.

BACKGROUND: The City City Council of the City of Petersburg adopted 21-Ord-18 on March 23, 2021, to amend the City's Zoning Ordinance and add the definition of Micro-Breweries, Micro-Wineries, Micro-Distilleries, and Micro-Cidery.

This is an Ordinance to specify the Zoning Districts in which the uses are permitted.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from Related Businesses

CITY COUNCIL HEARING DATE: 5/17/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Virginia Department of Alcoholic Beverage Control

AFFECTED AGENCIES: City Assessor, Commissioner of the Revenue, Department of Fire, , Fire Marshal, Department of Planning and Community Development

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 21-Ord-18, the City's Zoning Ordinance

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0517_2022OrdinanceZoningTextAmendmentB2MicroBusinesses
2. 21ORD18ZoningOrdinanceTextAmendmentAddRestaurants

AN ORDINANCE APROVING AN AMENDMENT TO THE PETERSBURG ZONING ORDINANCE PERMITTING MICRO-BREWERY, MICRO-DISTILLERY, MICRO-WINERY AND/OR MICRO-CIDERY BUSINESSES IN THE B-1 ZONING DISTRICT.

WHEREAS, the City of Petersburg Zoning Ordinance establishes zoning district and permitted uses within each district; and

WHEREAS, the City of Petersburg City Council adopted Ordinance 21-ORD-18, March 23, 2021; and

WHEREAS, the adopted Ordinance 21-ORD-18 includes definitions the following uses, Micro-Brewery, Micro-Distillery, Micro-Winery and/or Micro-Cidery. A facility for the production and packaging of alcoholic beverages for distribution, retail, or wholesale, on- or off-premises and which meets all Virginia Alcoholic Beverage Control laws and regulations. The facility may include other uses such as retail sales, tasting rooms and restaurants; and

WHEREAS, the Micro-Brewery, Micro-Distillery, Micro-Winery and/or Micro-Cidery uses are generally not combustible and result in alcoholic beverages with alcohol contents less than 16%; and

WHEREAS, the district in which the defined uses was not specified; and

WHEREAS, the Planning Commission approved a resolution recommending approval of an Ordinance permitting micro-brewery, micro-distillery, micro-winery and/or micro-cidery businesses in the B-1 zoning district; and

WHEREAS, this is an Ordinance to adopt the Planning Commission recommendation: and

WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this is a public hearing to consider approval of the Zoning Ordinance Text Amendments, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED that the City Council of the City of Petersburg does hereby approve a Zoning Ordinance Text Amendment consistent with the attached (**Exhibit A**).

(Exhibit A)

ARTICLE 14. - "B-1" SHOPPING CENTER DISTRICT REGULATIONS

Section 1. - [Purpose.]

The regulations set forth in this article or set forth elsewhere in this ordinance when referred to in this article, are the regulations of the "B-1" Shopping Center District. The purpose of this district is to provide for attractive and efficient retail shopping facilities of integrated design, in appropriate locations to serve residential neighborhoods. It is intended that the district shall be laid out and developed as a unit, according to an approved plan, so that the purpose of the district may be accomplished.

Section 2. - Use regulations.

A building or premises may be used only for the following purposes:

(1) Retail sale of merchandise, services, recreational areas, parking areas and other facilities, as set forth and described in this section and ordinarily accepted as shopping center uses; (2) Uses permitted in the project area, according to the residential district regulations in force prior to the establishment of the shopping center district on the tract in question as the only alternative in case the district is not used for the purpose for which it was especially intended, namely a shopping center; **(3) *Micro-Brewery, Micro-Distillery, Micro-Winery and/or Micro-Cidery, with the following conditions: No heat may be used in the brewing, distilling, wine making or cider making production processes; A maximum quantity of 5,000 gallons may be produced each year; Alcohol levels in beverages shall be 16% or below to minimize combustibility; No offensive odors shall be produced; Noise levels will comply with the City's Code regarding Noise; Development and operations must comply with all relevant codes including alcoholic beverage control, building, health and public safety.***

**AN ORDINANCE APPROVING AN AMENDMENT TO THE PETERSBURG
ZONING ORDINANCE TO ADDRESS RESTAURANTS AND RELATED USES**

WHEREAS, The City's Zoning Ordinance currently does not contain a definition for or otherwise regulate "restaurants"; and

WHEREAS, Within the Zoning Ordinance, restaurant is included in the definitions of Adult Entertainment Establishment, Drive-in restaurant, and Nightclub; and

WHEREAS, Restaurant is also included in the use regulations of Article 10. "R-5" Multiple Dwelling, and Article 18.1. "MXD-1" Mixed Use District; and

WHEREAS, Fast Food Restaurants and Restaurants except fast-food restaurants but including those accessory to hotels and motels, are referenced in Art. 19, § 4 Petersburg Code Art. 19, § 6 Section 5. Parking space requirements; and

WHEREAS, Zoning matters related to restaurants have been considered under Zoning Ordinance regulations listed above and in Article 14. "B-1" Shopping Center District Regulations, Section 2. Use Regulations (1) Retail sale of merchandise, services, recreational areas, parking areas and other facilities, as set forth and described in this section and ordinarily accepted as shopping center uses; and

WHEREAS, There is a need to further define restaurants and related uses to clarify zoning matters related to restaurants; and

WHEREAS, The item was on the posted February 3, 2021 Planning Commission Meeting Agenda as an information item, and on the February 17, 2021 Planning Commission Meeting Agenda as a public hearing. Public Hearing notices were advertised in compliance with Code requirements.

WHEREAS, During the February 17, 2021 meeting, the Petersburg Planning Commission held a Public Hearing and considered the matter, then approved a resolution recommending approval by the City Council.

NOW THEREFORE BE IT ORDAINED that the City of Petersburg City Council does hereby approve a Zoning Ordinance Text Amendment consistent with the attached (**Exhibit A**).

Exhibit A

ARTICLE 3 SECTION 1 OF THE PETERSBURG ZONING ORDINANCE “DEFINITIONS” IS HEREBY AMENDED AND RE-ADOPTED TO INCLUDE:

Live Entertainment. An accessory use allowing live performances but not limited to, music performances involving amplified music or more than one live instrument, a disc jockey, any form of dancing, karaoke, solo artists and comedians.

Micro-Brewery, Micro-Distillery, Micro-Winery and/or Micro-Cidery. A facility for the production and packaging of alcoholic beverages for distribution, retail or wholesale, on- or off-premises and which meets all Virginia Alcoholic Beverage Control laws and regulations. The facility may include other uses such as retail sales, tasting rooms and restaurants.

Mobile Food Unit. A restaurant that is mounted on wheels and readily movable from place to place by an internal engine or that is towed from place to place by a motor vehicle. Mobile food unit shall not include vending carts or other conveyances which are designed to be moved by either human or animal power.

Nightclub. An establishment where entertainment, live or otherwise, predominates over food service, becoming the principal use for at least during part of the business' operations, with or without dancing, and typically involving a cover or other charge for admission and event advertising. An establishment that serves alcoholic beverages, that provides live entertainment with live music, a disc jockey and a dance floor and that operates late in the evening later than 11:00 p.m.

- 1) A nightclub shall not serve food or beverages to customers between the hours of 2:00 a.m. and 6:00 a.m.
- 2) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- 3) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- 4) The establishment shall maintain a current, active business license at all times while in operation.
- 5) The establishment shall remain current on all food beverages taxes and business personal property taxes which may become due while it is in operation.
- 6) The area devoted to dance floor shall not exceed 250 square feet or ten percent of total floor area (exclusive of food preparations and service area), whichever is greater.

Private plaza means a multi-purpose area that allows flexibility of space within its boundaries, to include planned and passive activities such as festivals, art events, outdoor

movies, staged musical or theatrical entertainment, which may also include fountains, benches, temporary installations, including temporary stages, lighting and sound equipment, recreational facilities, outdoor furniture and seating areas and outdoor seating for restaurants and other eating establishments that surround the plaza.

Private Club. An establishment of a private not-for-profit organization, including fraternal organizations, which provides social, physical, recreational, educational or benevolent services. Such establishment shall not be operated for the purpose of carrying on a trade or business, and no part of the net earnings shall inure to the benefit of any member of such organization or any other individuals, although regular employees may be paid reasonable compensation for services rendered.

Restaurant. an establishment where food and beverages are prepared and sold for consumption both on and off the premises, and with customer seating provided on the premises.

Restaurant, Carry Out. An establishment where food and beverages are prepared for consumption off the premises, and with no customer seating on the premises.

Restaurant, Coffee or Ice Cream Shop. A small restaurant, typically no more than 2,000 square feet in area, where the principal business is either the sale of coffee and other hot beverages or the sale of ice cream, frozen yogurt or other related confections. Pastries, baked goods, cold beverages, sandwiches and other light fare may also be sold incidental to the service of coffee, and other confections, but no alcohol is served, no entertainment takes place and no significant cooking, other than the application of heat by microwave, electric burner, espresso machine, the heating of soup or the boiling of water, typically takes place; and

Ordinance 21-ORD-18
adopted by the City of Petersburg Council
of the City of Petersburg on:
03/23/2021

Nlyh O J e
Clerk of City Council

David S. Bailey
Mayor



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Brian Moore

RE: **A public hearing to consider an ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Coastal Virginia Development towards the sale of City-owned property at 1024 Eighth Street, Parcel ID: 013-230004. (page 109)**

PURPOSE: A public hearing to consider an ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Coastal Virginia Development towards the sale of City-owned property at 1024 Eighth Street, Parcel ID: 013-230004

REASON: To consider an Ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Coastal Virginia Development towards the sale of City-owned property at 1024 Eighth Street, Parcel ID: 013-230004.

RECOMMENDATION: The Department of Economic Development recommends that the City Council approves an Ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Coastal Virginia Development towards the sale of City-owned property at 1024 Eighth Street, Parcel ID: 013-230004

BACKGROUND: The Department of Economic Development received a proposal from Coastal Virginia Development to purchase City-owned property located at 1024 Eighth Street which is currently a vacant lot. The proposed use is to develop two 1206 square feet single family residential dwellings.

The proposed purchase price for the parcel is \$9,100 which is 50% of the assessed value, \$18,200. The purchaser will also pay all applicable closing cost. Coastal Virginia Development have provided financial documentation supporting her ability to purchase the property.

This proposal is in compliance with the Guidelines for the Disposition of City Real Estate Property, Zoning, and the Comprehensive Land Use Plan.

Property Information

The zoning of the parcel at 1024 Eighth Street is R-2, a two-family residential district.

Address: 1024 Eighth Street

Tax Map ID: 013-230004

Zoning: R-2

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the sale of property and associated fees and taxes

CITY COUNCIL HEARING DATE: 5/17/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, City Assessor

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 1024 Eighth Street Ordinance
2. 20220426103307498
3. 20220426103320497
4. 20220426103331907
5. 20220426103347204
6. 1024 Eighth Street
7. 1024 Eighth Street Tax Card

ORDINANCE

An Ordinance authorizing the City Manager to execute a purchase agreement between the City of Petersburg and Coastal Virginia Development for the sale of City-owned property at 1024 Eighth Street, Parcel ID 013-230004

WHEREAS, the City of Petersburg has received a proposal from Coastal Virginia Development to purchase the City-owned property at 1024 Eighth Street, Parcel ID 013-230004: and

WHEREAS, the conveyance of this property shall be contingent upon the subsequent submission of a Development Agreement by Coastal Virginia Development in accordance with the terms of the Purchase Agreement which Development Agreement must be approved by City Council by Resolution at its sole discretion within the due diligence period as outlined in the Purchase Agreement; and

WHEREAS, the potential benefits to the City include a reduction in the number of City-owned commercial buildings to be maintained and an inclusion of the property on the City's list of taxable properties; and

WHEREAS, in accordance with applicable legal requirements, a public hearing was held prior to consideration of an ordinance authorizing the sale of City-owned property on May 17, 2022, and

NOW THEREFORE BE IT ORDAINED, that the City Council of the City of Petersburg hereby approves the ordinance authorizing the City Manager to execute a Purchase Agreement with Coastal Virginia Development toward the sale of City-owned property at 1024 Eighth Street.

REAL ESTATE PURCHASE AGREEMENT

Assessed Value: \$17,800

Consideration: \$9,100

Tax Map No: 013230004- 1024 Eighth Street, Petersburg, VA 23803

This Real Estate Purchase Agreement (the "Agreement") is dated April 19, 2022, between the CITY OF PETERSBURG, a municipal corporation of the Commonwealth of Virginia, hereinafter referred to as "Seller" and party of the first part, Coastal Virginia Development, hereinafter referred to as "Purchaser", and party of the second part, and Pender & Coward (the "Escrow Agent") and recites and provides the following:

RECITALS:

The Seller owns certain parcel(s) of property and all improvements thereon and appurtenances thereto located in Petersburg, Virginia, commonly known as: 013230004- 1024 Eight Street, Petersburg, VA 23803 (Property).

Purchaser desires to purchase the Property and Seller agrees to sell the Property subject to the following terms and provisions of this Agreement:

1. **Sale and Purchase:** Subject to the terms and conditions hereof, Seller shall sell and Purchaser shall purchase, the Property. The last date upon which this Agreement is executed shall be hereinafter referred to as the "Effective Date".
2. **Purchase Price:** The purchase price for the Property is nine thousand one hundred dollars (\$9,100) (the "Purchase Price"). The Purchase Price shall be payable all in cash by wired transfer or immediately available funds at Closing.
3. **Deposit:** Purchaser shall pay ten percent (10%) of the Purchase Price, nine hundred ten dollars (\$910), (the "Deposit") within fifteen (15) business days of the Effective Date to the Escrow Agent which shall be held and disbursed pursuant to the terms of this Agreement.
4. **Closing:** Closing shall take place on or before ninety (90) calendar days after the completion of the Due Diligence Period described in Section 5. Purchaser may close on the Property prior to completion of the Due Diligence Period with reasonable advance notice to Seller. At Closing, Seller shall convey to Purchaser, by Deed Without Warranty, good and marketable title to the Property in fee simple, subject to any and all easements, covenants, and restrictions of record and affecting the Property and current taxes.

In the event a title search done by Purchaser during the Due Diligence Period reveals any title defects that are not acceptable to the Purchaser, Purchaser shall have the right, by giving written notice to the Seller within the Due Diligence Period, to either (a) terminate this Agreement, in which event this Agreement shall be null and void, and none of the parties hereto shall then have any further obligation to any other party hereto or to any third party and the entire Deposit is refunded to the Purchaser or (b) waive the title objections and proceed as set forth in this Agreement. Seller agrees to cooperate with Purchaser to satisfy all reasonable requirements of Purchaser's title insurance carrier.

5. **Due Diligence Period:** Not to exceed one hundred twenty (120) calendar days after the Effective Date. The Purchaser and its representatives, agents, employees, surveyors, engineers, contractors and subcontractors shall have the reasonable right of access to the Property for the purpose of inspecting the Property, making engineering, boundary, topographical and drainage surveys, conducting soil test, planning repairs and improvements, and making such other tests, studies, inquires and investigations of the Property as the Purchaser may deem necessary. The Purchaser agrees that each survey, report, study, and test report shall be prepared for the benefit of, and shall be certified to, the Purchaser and Seller (and to such other parties as the Purchaser may require). A duplicate original of each survey, report, study, test report shall be delivered to Seller's counsel at the notice address specified in Section 15 hereof within ten (10) days following Purchaser's receipt thereof.

Purchaser shall be responsible for paying all closing costs associated with this purchase including but not limited to the real estate commission, Seller's attorney fees, applicable Grantor's tax and the cost associated with the preparation of the deed and other Seller's documents required hereunder. All closing costs shall be paid by the Purchaser.

- a. At or before the extinguishing of the Due Diligence Period, the Purchaser shall draft a Development Agreement in conformance with the proposal presented to City Council on April 19, 2022. Such proposal shall be reviewed by the City to determine its feasibility and consistency with the original proposal made on April 19, 2022. Approval and execution of the Development Agreement shall not be unreasonably withheld by either party, and execution of the Development Agreement by all parties shall be a condition precedent to closing on the property. The Development Agreement shall be recorded by reference in the deed of conveyance to the Property which shall include reverter to the City in the event that the Developer fails to comply with the terms of the Development Agreement.
- b. During the Due Diligence Period, the Purchaser and any of their paid or voluntary associates and/or contractors must agree to sign a 'Hold Harmless Agreement' prior to entering vacant property located at 835 Commerce Street; Tax Map 024-130012 (Property). This agreement stipulates that to the fullest extent permitted by law, to defend (including attorney's fees), pay on behalf of, indemnify, and hold harmless the City, its elected and appointed officials, employees, volunteers, and others working on behalf of the City against any and all claims, demands, suits or loss, including all costs

connected therewith, and for any damages which may be asserted, claimed or recovered against or from the City, its elected and appointed officials, employees, volunteers, or others working on behalf of the City, by any reason of personal injury, including bodily injury or death, and/or property damage, including loss of use thereof which arise out of or is in any way connected or associated with entering the vacant property located at 013230004- 1024 Eight Street, Petersburg, VA 23803.

6. Termination Prior to Conclusion of Due Diligence Phase:

- a. If Purchaser determines that the project is not feasible during the Due Diligence Period, then, after written notice by Purchaser delivered to Seller, ninety percent (90%) of the Purchase Price shall be returned to the Purchaser and ten percent (10%) of the Purchase Price shall be disbursed to Seller from the Deposit held by Escrow Agent and the Purchaser waives any rights or remedies it may have at law or in equity.
- b. If during the Due Diligence phase Seller determines that Purchaser does not possess sufficient resources to complete the Development Agreement, then ninety percent (90%) of the Purchase Price shall be returned to the Purchaser and ten percent (10%) of the Purchase Price shall be disbursed to Seller from the Deposit held by Escrow Agent.
- c. If the parties are unable to agree on the terms of the Development Agreement as required by paragraph 5(a) of this Agreement after good faith efforts by the parties, then ninety percent (90%) of the Purchase Price shall be returned to the Purchaser and ten percent (10%) of the Purchase Price shall be disbursed to Seller from the Deposit held by Escrow Agent. If either party fails to exercise good faith in the efforts to reach a Development Agreement, then the other party shall be entitled to one hundred percent (100%) of the Deposit.

7. Seller's Representations and Warranties: Seller represents and warrants as follows:

- a. To the best of Seller's knowledge, there is no claim, action, suit, investigation or proceeding, at law, in equity or otherwise, now pending or threatened in writing against Seller relating to the Property or against the Property. Seller is not subject to the terms of any decree, judgment or order of any court, administrative agency or arbitrator which results in a material adverse effect on the Property or the operation thereof.
- b. To the best of Seller's knowledge, there are no pending or threatened (in writing) condemnation or eminent domain proceedings which affect any of the Property.
- c. To the best of Seller's knowledge, neither the execution nor delivery of the Agreement or the documents contemplated hereby, nor the consummation of the conveyance of the Property to Purchaser, will conflict with or cause a breach of any of the terms and conditions of, or constitute a default under, any agreement, license, permit or other instrument or obligation by which Seller or the Property is bound.
- d. Seller has full power, authorization and approval to enter into this Agreement and to carry out its obligations hereunder. The party executing this Agreement on behalf of Seller is fully authorized to do so, and no additional signatures are required.

- e. The Property has municipal water and sewer lines and has gas and electric lines at the line. Seller makes no representation as to whether the capacities of such utilities are sufficient for Purchaser's intended use of Property.
- f. Seller has not received any written notice of default under, and to the best of Seller's knowledge, Seller and Property are not in default or in violation under, any restrictive covenant, easement or other condition of record applicable to, or benefiting, the Property.
- g. Seller currently possesses and shall maintain until Closing general liability insurance coverage on the Property which policy shall cover full or partial loss of the Property for any reason in an amount equal to or exceeding the Purchase Price.

As used in this Agreement, the phrase "to the best of Seller's knowledge, or words of similar import, shall mean the actual, conscious knowledge (and not constructive or imputed knowledge) without any duty to undertake any independent investigation whatsoever. Seller shall certify in writing at the Closing that all such representations and warranties are true and correct as of the Closing Date, subject to any changes in facts or circumstances known to Seller.

8. Purchaser's Representations and Warranties:

- a. There is no claim, action, suit, investigation or proceeding, at law, in equity or otherwise, now pending or threatened in writing against Purchaser, nor is Purchaser subject to the terms of any decree, judgment or order of any court, administrative agency or arbitrator, that would affect Purchaser's ability and capacity to enter into this Agreement and transaction contemplated hereby.
- b. Purchaser has full power, authorization and approval to enter into this Agreement and to carry out its obligation hereunder. The party executing this Agreement on behalf of Purchaser is fully authorized to do so, and no other signatures are required.

9. **Condition of the Property:** Purchaser acknowledges that, except as otherwise set forth herein, the Property is being sold "AS IS, WHERE IS AND WITH ALL FAULTS", and Purchaser has inspected the Property and determined whether or not the Property is suitable for Purchaser's use. Seller makes no warranties or representations regarding the condition of the Property, including without limitation, the improvements constituting a portion of the Property or the systems therein.

10. **Insurance and Indemnification:** Purchaser shall indemnify Seller from any loss, damage or expense (including reasonable attorney's fees and costs) resulting from Purchaser's use of, entry upon, or inspection of the Property during the Due Diligence Period. This indemnity shall survive any termination of this Agreement. Notwithstanding any other provision of this Agreement, Purchaser's entry upon the subject property and exercise of due diligence is performed at Purchaser's sole risk. Purchaser assumes the risk and shall be solely responsible for any injuries

to Purchaser, its employees, agents, assigns and third parties who may be injured or suffer damages arising from Purchaser's entry upon the property and the exercise of Purchaser's due diligence pursuant to this Agreement.

11. **Escrow Agent:** Escrow Agent shall hold and disburse the Deposit in accordance with the terms and provisions of this Agreement. In the event of doubt as to its duties or liabilities under the provisions of this Agreement, the Escrow Agent may, in its sole discretion, continue to hold the monies that are the subject of this escrow until the parties mutually agree to the disbursement thereof, or until a judgment of a court of competent jurisdiction shall determine the rights of the parties thereto. In the event of any suit where Escrow Agent interpleads the Deposit, the Escrow Agent shall be entitled to recover a reasonable attorney's fee and cost incurred, said fees and cost to be charged and assessed as court costs in favor of the prevailing party. All parties agree that the Escrow Agent shall not be liable to any party or person whomsoever for mis-delivery to Purchaser or Seller of the Deposits, unless such mis-delivery shall be due to willful breach of this Agreement or gross negligence on the part of the Escrow Agent. The Escrow Agent shall not be liable or responsible for loss of the Deposits (or any part thereof) or delay in disbursement of the Deposits (or any part thereof) occasioned by the insolvency of any financial institution unto which the Deposits is placed by the Escrow Agent or the assumption of management, control, or operation of such financial institution by any government entity.
12. **Risk of Loss:** All risk of loss or damage to the Property by fire, windstorm, casualty or other cause is assumed by Seller until Closing. In the event of a loss or damage to the Property or any portion thereof before Closing, Purchaser shall have the option of either (a) terminating this Agreement, in which event the Deposit shall be returned to Purchaser and this Agreement shall then be deemed null and void and none of the parties hereto shall then have any further obligation to any other party hereto or to any third party, or (b) affirming this Agreement, in which event Seller shall assign to Purchaser all of Seller's rights under any applicable policy or policies of insurance and pay over to Purchaser any sums received as a result of such loss or damage. Seller agrees to exercise reasonable and ordinary care in the maintenance and upkeep of the Property between the Effective Date and Closing. Purchaser and its representatives shall have the right to make an inspection at any reasonable time during the Due Diligence Period or prior to Closing.
13. **Condemnation:** If, prior to Closing, all of any part of the Property shall be condemned by governmental or other lawful authority, Purchaser shall have the right to (1) complete the purchase, in which event all condemnation proceeds or claims thereof shall be assigned to Purchaser, or (2) terminate this Agreement, in which event the Deposit shall be returned to Purchaser and this Agreement shall be terminated, and this Agreement shall be deemed null and void and none of the parties hereto shall then have any obligation to any other party hereto or to any third party, except as otherwise provided in this Agreement.
14. **Notices:** All notices and demands which, under the terms of this Agreement must or may be given by the parties hereto shall be delivered in person or sent by Federal Express or other comparable overnight courier, or certified mail, postage prepaid, return receipt requested, to the respective hereto as follows:

SELLER:

The City of Petersburg
Stuart Turille
City Manager
135 North Union Street
Petersburg, VA 23803

Anthony C. Williams, City Attorney
City of Petersburg, Virginia
135 N. Union Street
Petersburg, VA 23803

PURCAHSER:

Coastal Virginia
Development
5245 Cleveland St #209
Va Beach, VA 23462
W. Doug Porter

COPY TO:

Notices shall be deemed to have been given when (a) delivered in person, upon receipt thereof by the person to whom notice is given, (b) as indicated on applicable delivery receipt, if sent by Federal Express or other comparable overnight courier, two (2) days after deposit with such courier, courier fee prepaid, with receipt showing the correct name and address of the person to whom notice is to be given, and (c) as indicated on applicable delivery receipt if sent via certified mail or similar service.

15. **Modification:** The terms of this Agreement may not be amended, waived or terminated orally, but only by an instrument in writing signed by the Seller and Purchaser.

16. **Assignment; Successors:** This Agreement may not be transferred or assigned without the prior written consent of both parties. In the event such transfer or assignment is consented to, this Agreement shall inure to the benefit of and bind the parties hereto and their respective successors and assigns.
17. **Counterparts:** This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one of the same instrument.
18. **Survival:** All of the representations, warranties, covenants and agreements made in or pursuant to this Agreement made by Seller shall survive the Closing and shall not merge into the Deed or any other document or instrument executed and delivered in connection herewith.
19. **Captions and Counterparts:** The captions and paragraph headings contained herein are for convenience only and shall not be used in construing or enforcing any of the provisions of this Agreement.
20. **Governing Law; Venue:** This Agreement and all documents and instruments referred to herein shall be governed by, and shall be construed according to, the laws of the Commonwealth of Virginia. Any dispute arising out of performance or non-performance of any term of this Agreement shall be brought in the Circuit Court for the City of Petersburg, Virginia.
21. **Entire Agreement:** This Agreement contains the entire agreement between Seller and Purchaser, and there are no other terms, conditions, promises, undertakings, statements or representations, expressed or implied, concerning the sale contemplated by this Agreement. Any and all prior or subsequent agreements regarding the matters recited herein are hereby declared to be null and void unless reduced to a written addendum to this Agreement signed by all parties in accordance with Section 16.
22. **Copy or Facsimile:** Purchaser and Seller agree that a copy or facsimile transmission of any original document shall have the same effect as an original.
23. **Days:** Any reference herein to "day" or "days" shall refer to calendar days unless otherwise specified. If the date of Closing or the date for delivery of a notice or performance of some other obligation of a party falls on a Saturday, Sunday or legal holiday in the Commonwealth of Virginia, then the date for Closing or such notice of performance shall be postponed until the next business day.
24. **Title Protection:** Deed to this property is conveyed without warranty. During the due diligence period, purchaser may research title issues associated with the property and may purchase title insurance at his own expense or terminate the agreement in accordance with the provisions of this contract in the event that issues regarding title are discovered.

25. **Development Agreement:** A Development agreement detailing the development scope, budget, funding, schedule and any other agreed upon performance requirements of the Developer will be executed prior to the transfer of the deed for the property.
26. **Reversion Provision:** The deed of conveyance to this property shall contain a provision that this property will revert back to the City if performance requirements are not met by the Developer within the time period specified in the Development Agreement upon Notice of Breach to Developer and failure to timely cure.
27. **Compliance with Zoning, land use and Development requirements:** Execution of this document shall not be construed to affect in any way the obligation of the purchaser to comply with all legal requirements pertaining to zoning, land use, and other applicable laws.

28. IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and years first written.

PURCHASER: Coastal Virginia Development

By: W.D. Porter, [Signature]

Title: Managing Member

Date: 3/22/2022

SELLER:

The City of Petersburg, Virginia

By: _____, Stuart Turille

Title: City Manager

Date: _____

ESCROW AGENT:

By: _____,

Title: _____

Date: _____

Samantha Bunch
7872892



Approved as to form:

Date: _____

By: _____, Anthony Williams

Title: City Attorney

KVG Enterprise LLC.

dpor#2705173717

& BMDP LLC.

dpor#2705163361

Subsidiaries of

Coastal Virginia Development

5245 Cleveland St. Suite 209

Virginia Beach Va. 23462

1) Proposed project,

We propose to purchase 1024 Eighth St. Petersburg, Va. Legally described as Lots 3-6 Block 27 East Petersburg, for the sum of \$9,100.00. Our intent is to build Two (2) 1,206 square ft. single family dwellings. Both dwellings will conform to the R-2 zoning requirements as set forth by the city code.

2) Pictures or sketches of proposed project,

Please find enclosed architectural drawings to include elevation renderings.

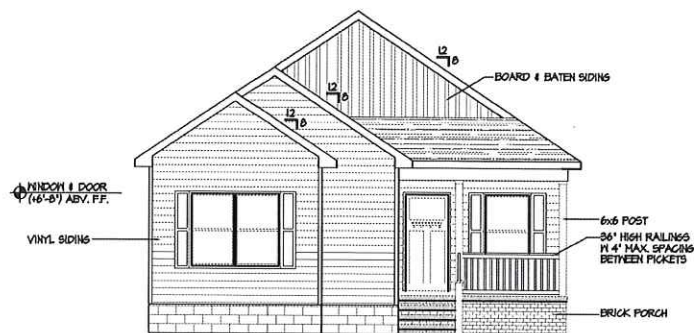
3) Proof of finances to show the wherewithal to purchase the lot and complete the project,

Please find enclosed a certified check in the amount of \$9,100 to purchase the property and to be used as an earnest money deposit until we receive a buildable lot letter (if this offer is accepted). Also enclosed is a notarized letter from Truist bank to prove our intent to "self fund" this project. Each dwelling is estimated to cost \$100,000.00 to construct (total amount of \$200,000.00).

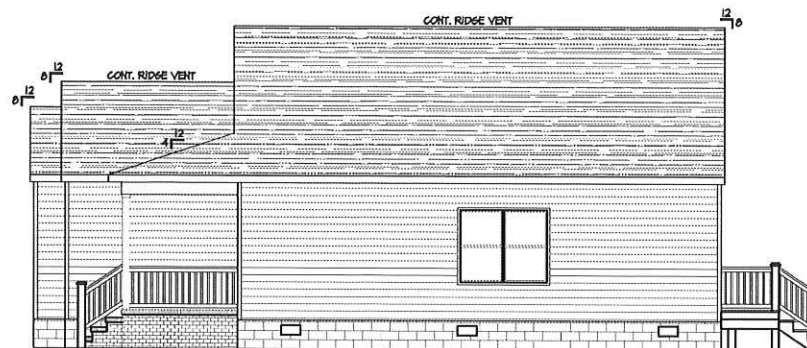
4) Background and experience of purchase, Coastal Virginia

Development and its subsidiaries, KVG Enterprise and BMDP LLC, have completed over 100 residential new construction projects in the Hampton Roads area from 2000 -2022. For further review I have enclose some pictures and a short list of the completed projects. We also have a facebook page with more pictures and addresses (KVG Enterprise).

W. Doug Porter
Coastal Virginia Development
5245 Cleveland St.
Virginia Beach Va.
Suite 209
757-450-5050



FRONT ELEVATION
SCALE 1/4" = 1'-0"



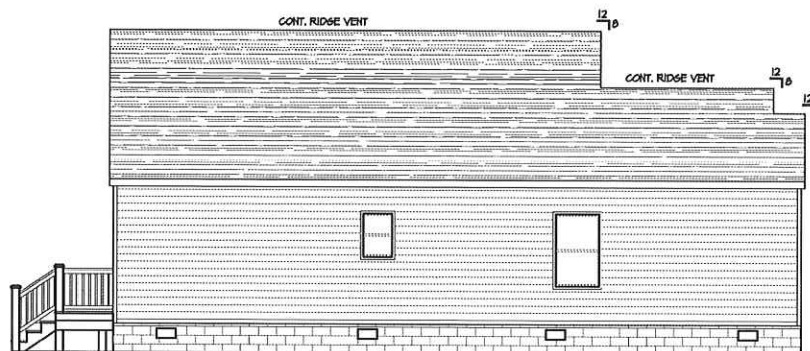
RIGHT SIDE ELEVATION
SCALE 1/4" = 1'-0"

ROOF VENTILATION CALCULATION
ATTIC S.F. = 1206 S.F.
1206/300 = 4 S.F.
4" 144 = 516 S.I.
516 / 2 = 258 S.I.
258 S.I. REQUIRED FOR SOFFIT
(144 S.I. FOR EACH OF 2 SIDES)
258 S.I. REQUIRED FOR ROOF SURFACE

TOTAL LIVING SPACE 1,206 S.F.



REAR ELEVATION
SCALE 1/4" = 1'-0"



LEFT SIDE ELEVATION
SCALE 1/4" = 1'-0"

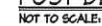
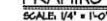
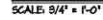
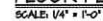
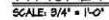
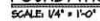


CUSTOM HOME PLANS
• ADDITIONS
• RENOVATIONS
3548 GLENN AND ST. #204
VA BEACH, VIRGINIA 23462
E-MAIL: jmeans@live.com
CELL: (757) 583-0075

ELEVATIONS
3 BDR. SINGLE FAMILY RESIDENCE AT
PETERSBURG RANCH MODEL
PETERSBURG, VIRGINIA

DATE:
11.10.21

SHEET:
A2 CRAWL
OF 6

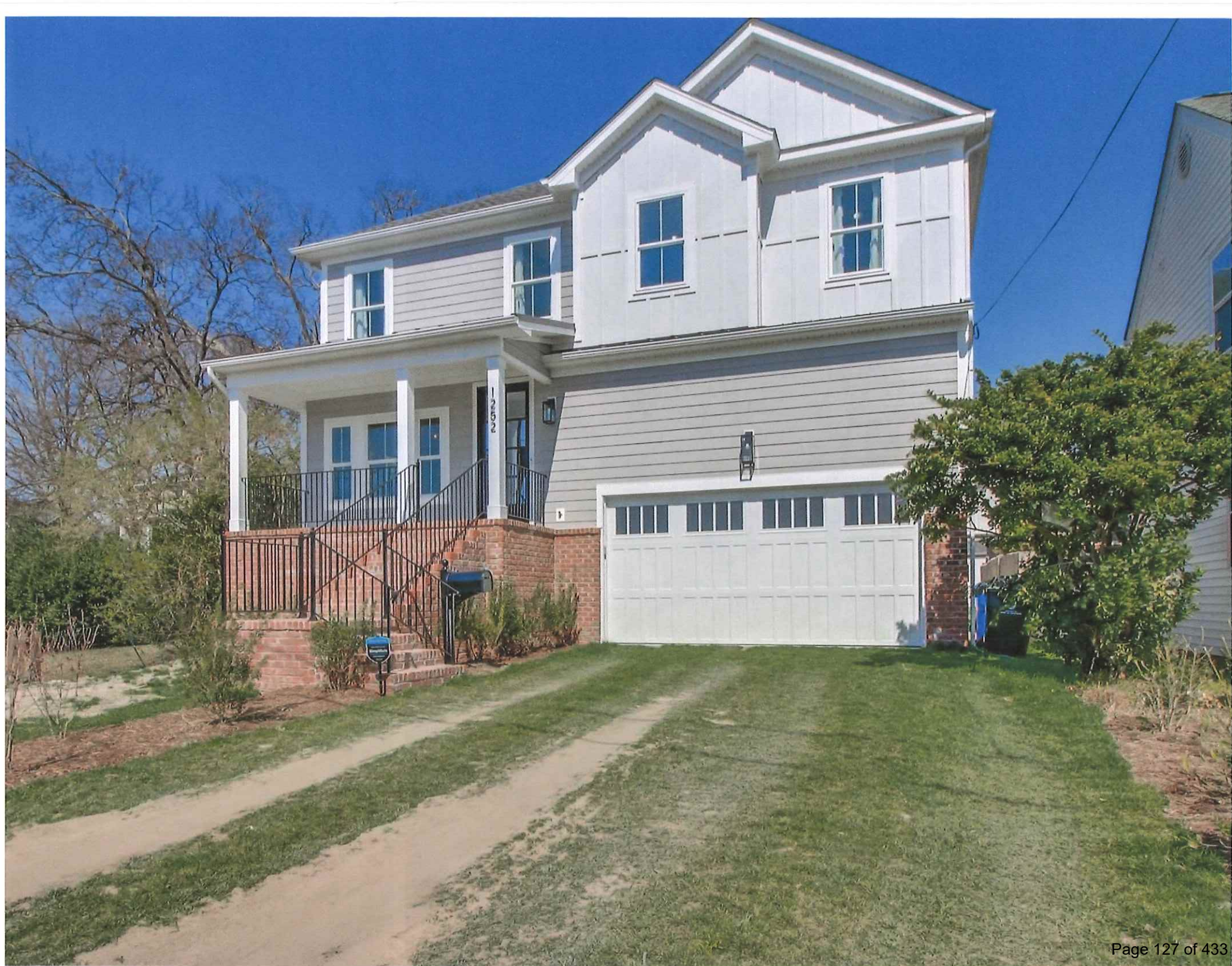


Page 123 of 433

This is a short list of residential new construction projects we have completed in the past few years. Also enclosed, a few pictures to show the range of projects completed.

Address	City
5816 Fowkes	Portsmouth
536 Florida Ave	Portsmouth
305 Ivy Homes	Hampton
3701 Academy	Portsmouth
46 Cushion	Portsmouth
50 Cushion	Portsmouth
29 Farragut	Portsmouth
10 Dogwood	Hampton
1711 Melon Street	Norfolk
1509 Mansion Street	Norfolk
1132 Victory Boulevard	Portsmouth
11 Dewey Street	Portsmouth
2109 Bay Ave	Hampton
2111 Bay Ave	Hampton
1252 Richmond Crescent	Norfolk
1262 Richmond Crescent	Norfolk
5812 B Dunkirk	Portsmouth
2401 Old York	York
2403 Old York	York
24 Bacon Street	Hampton
24 Redwood Street	Hampton
143 Saunders Road	Hampton
4002 Victoria Boulevard	Hampton
524 B Harriet Street	Hampton
532 Harriet Street	Hampton
524 Mount Vernon Avenue	Portsmouth
106 Webb Street	Suffolk
209 Pitchkettle Road	Suffolk
211 Pitchkettle Road	Suffolk
307 South Division Street	Suffolk
7490 Northshore	Norfolk
8 Algernourne Street	Hampton
2619 Shell Road	Hampton
54 Alwyn Crescent	Portsmouth
1513 Conoga Street	Norfolk
1711 Selden Avenue	Norfolk
1240 Maltby	Norfolk
14 E Virginia Ave	Hampton
15 W Virginia Ave	Hampton
3 Douglas	Hampton
3B Douglas	Hampton
362 Merrimac	Hampton
13 W Virginia Ave	Hampton
2300 Azalea	Hampton
208 Allen Road	Portsmouth
Lot 32 Craddock	Hampton

1527 Old Buckroe Road	Hampton
807 Byrd Street	Hampton
422 Seaboard Ave	Hampton
918 Carolina	Hampton
920 Carolina	Hampton
11 S Boxwood Street	Hampton
709 A Ridgeway	Hampton
16 Maplewood	Hampton
18 Maplewood	Hampton
375 Leeland Avenue	Hampton
377B Leeland Avenue	Hampton
377A Leeland Avenue	Hampton
709 Downing	Hampton
711 Downing	Hampton
803 Ridgeway	Hampton
805 Ridgeway	Hampton
807 Ridgeway	Hampton
1337 Monterey Avenue	Norfolk
193 Pine Chapel Road	Hampton
324 Hollywood Avenue	Hampton
1335 Monterey	Norfolk
40 W County Street	Hampton
409 Middlesex Street	Hampton
3 Semple Street	Hampton
5 Semple Street	Hampton
7 Semple Street	Hampton
9 Semple Street	Hampton
1110 Victory Boulevard	Portsmouth
27C Ireland	Hampton
1224 22nd Street	Hampton
516 Lasalle	Hampton
47 Fulton	Hampton
33 Fulton	Hampton
1306 West Avenue	Hampton
17 Lacrosse Street	Hampton
2615 Victoria	Hampton
2617 Victoria	Hampton
753 28th Street	Norfolk
7 N Cypress	Hampton
1304 West Avenue	Hampton









Petersburg, Virginia

Legend

-  County Boundaries
-  Parcels



Feet
0 50 100 150 200
1:2,257 / 1"=188 Feet

Title:

Date: 4/26/2022

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and City of Petersburg is not responsible for its accuracy or how current it may be.

Petersburg, Virginia

Parcel: 013230004

Summary

Owner Name	CITY OF PETERSBURG	National Historic District:	
Owner Mailing Address	135 N. Union St Petersburg , VA 23803	Enterprise Zone:	
Property Use	100	Opportunity Zone:	51730810100
State Class:	7 Exempt Local	VA Senate District:	16
Zoning:	R-2	Va House District:	63
Property Address	1024 EIGHTH ST Petersburg , VA	Congressional District:	4
Legal Acreage:	.31	City Ward:	1
Legal Description:	LTS 3-6 BK 27 EAST PETG100X135	Polling Place:	Blandford Academy
Subdivision:	East Petersburg	Primary Service Area:	
Assessment Neighborhood Name:		Census Tract:	8101
Local Historic District:		Elementary School:	Lakemont
		Middle School:	Vernon Johns Middle School
		High School:	Petersburg High School

Improvements

Finished (Above Grade):		Shed:	
Basement:		Total Rooms:	
Attached Garage:		Bedrooms:	
Detached Garage:		Full Baths:	
Enclosed Porch:		Half Baths:	
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	11/28/2001	\$0	2001/4564

Assessments

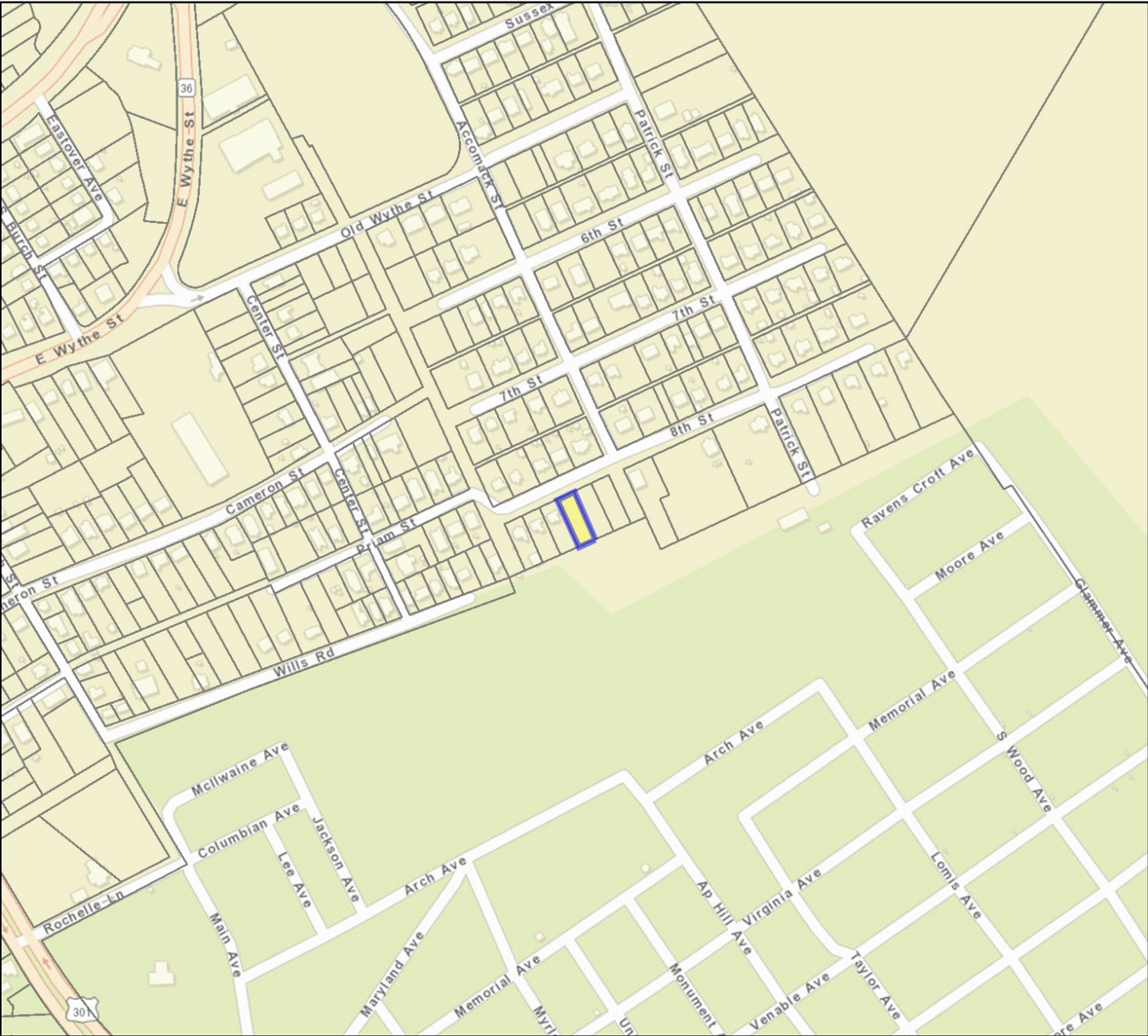
Valuation as of	01/01/2018	01/01/2019	01/01/2020	01/01/2021	01/01/2022
Effective for Billing:	07/01/2018	07/01/2019	07/01/2020	07/01/2021	07/01/2022
Reassessment					
Land Value	\$17,800	\$17,800	\$17,800	\$17,800	\$18,200
Improvement Value	\$	\$	\$	\$	\$
Total Value	\$17,800	\$17,800	\$17,800	\$17,800	\$18,200

Property Tax (Coming Soon)

Petersburg, Virginia

Legend

- County Boundaries
- Parcels



Parcel #: 013230004

Date: 4/26/2022

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and City of Petersburg is not responsible for its accuracy or how current it may be.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Stacey Jordan

RE: A public hearing for Petersburg City Public School's FY22-23 Budget (page 133)

PURPOSE: To schedule a public hearing for Petersburg City Public School's FY2022-23 Budget

REASON: The City of Petersburg City Council must approve and appropriate the budget for Petersburg City Public Schools.

RECOMMENDATION: To schedule a public hearing for Petersburg City Public Schools FY2022-23 Budget. (1st reading of ordinance)

BACKGROUND: The total budget for Petersburg City Public Schools is \$91,050,600 which includes the following breakdown:

- Local Fees: \$66,000
- Erate: \$225,000
- Sales Tax: \$5,420,137
- State: \$42,278,401
- Federal: \$55,000
- City Transfer: \$10,000,000
- Food Service: \$2,927,000
- Grants: \$30,079,062

COST TO CITY: \$10,000,000

BUDGETED ITEM: YES

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Petersburg City Public Schools

AFFECTED AGENCIES: Petersburg City Public Schools

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Attachment A for City Memo

**Petersburg City Public Schools
FY2022 - 2023 Proposed Budget**

	FY22 Adopted	FY23 School Board Proposed	Difference FY22 to FY23
Operating Fund			
Local Fees	82,500	66,000	(16,500)
ERATE	225,000	225,000	-
Sales Tax	4,948,786	5,420,137	471,351
State	32,083,185	42,278,401	10,195,216
Federal	47,000	55,000	8,000
City Transfer	<u>10,000,000</u>	<u>10,000,000</u>	<u>-</u>
Total Operating	47,386,471	58,044,538	10,658,067
Food Service	2,928,900	2,927,000	(1,900)
Special Revenue (Grants)	7,518,045	30,079,062	22,561,017
Total All Funds	57,833,416	91,050,600	33,217,184



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager
Tangela Innis, Deputy City Manager

FROM: Reginald Tabor

RE: **A public hearing and consideration of an Ordinance approving amendments to the Comprehensive Plan to comply with the Chesapeake Bay Preservation Act. (page 136)**

PURPOSE: A Public Hearing and consideration of an Ordinance approving an amendment to the City's Comprehensive Plan to Comply with the Chesapeake Bay Preservation Act.

REASON: To comply with applicable procedures and laws regarding the consideration of amendments to the City's Comprehensive Plan.

RECOMMENDATION: It is recommended that the City Council holds a Public Hearing and approves an amendment to the City's Comprehensive Plan to comply with Chesapeake Bay Act requirements.

BACKGROUND: The Virginia Department of Environmental Quality (DEQ) regulates compliance with the Chesapeake Bay Preservation Act. The Act requires that jurisdiction Comprehensive Plans include provisions regarding the Chesapeake Bay Preservation Act. The City has been working with DEQ to develop amendments to the City's Comprehensive Plan to comply with the Chesapeake Bay Preservation Act.

The proposed amendments as provided to the City Council have been reviewed and approved by DEQ.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 1/18/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Virginia Department of Environmental Quality (DEQ)

AFFECTED AGENCIES: Department of Public Works and Utilities, Department of Planning and Community Development

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: City's Comprehensive Plan

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0517_2022OrdinanceCompPlanChesBay
2. 0426_2022CompPlanDEQCommentsChesBay_DEQComments_recd04262022Approved

**AN ORDINANCE APPROVING AN AMENDMENT TO THE PETERSBURG
COMPREHENSIVE PLAN TO INCLUDE CHESAPEAKE BAY
PRESERVATION ACT CONSIDERATIONS AND REQUIREMENTS**

WHEREAS, the Chesapeake Bay Preservation Act (Bay Act) was enacted by the Virginia General Assembly in 1988 as a critical element of Virginia's nonpoint pollution source management program; and

WHEREAS, the purpose of the Bay Act program is to protect and improve water quality in the Chesapeake Bay by requiring the implementation of effective land use management practices; and

WHEREAS, the City of Petersburg Comprehensive Plan currently includes provisions for the Chesapeake Bay Preservation Act; and

WHEREAS, there is a need to amend sections of the City's Comprehensive Plan to address additional Chesapeake Bay Preservation Act considerations and requirements; and

WHEREAS, the Virginia Department of Environmental Quality (DEQ) regulates compliance with the Chesapeake Bay Preservation Act; and

WHEREAS, the Act requires that jurisdiction Comprehensive Plans include provisions regarding the Chesapeake Bay Preservation Act; and

WHEREAS, the City has been working with representatives of DEQ to develop amendments to the City's Comprehensive Plan to comply with the Chesapeake Bay Preservation Act; and

WHEREAS, The proposed amendments as provided to the City Council have been reviewed and approved by DEQ; and

WHEREAS, During the January 6, 2022 meeting, the Petersburg Planning Commission held a Public Hearing and considered the matter, then approved a resolution recommending approval by the City Council.

NOW THEREFORE BE IT ORDAINED that the City of Petersburg City Council does hereby approve Amendments to the Comprehensive Plan consistent with the attached (**Exhibit A – Comprehensive Plan**).

City of Petersburg PTB2040



Comprehensive Plan

Mayor and City Council

Mayor Samuel Parham, Ward 3
Council Member Treska Wilson-Smith, Ward 1
Council Member Darrin Hill, Ward 2
Council Member Charlie Cuthbert, Ward 4
Council Member W. Howard Myers, Ward 5
Council Member Annette Smith-Lee, Ward 6
Council Member Arnold Westbrook, Jr., Ward 7

Planning Commission

Tammy L. Alexander, Chair, Ward 5
Chioma Adaku, Ward 1
Fenton Bland, Vice Chair, Ward 2
Candace Taylor, Ward 3
Marie Vargo, Ward 4
Thomas S. Hairston, Ward 6
James Norman, Ward 7
Michael Edwards, At-Large
William Irvin, At-Large

City Manager

Kenneth Miller, Interim City Manager
Tangela Innis, Deputy City Manager
Hall Wingfield, Program Coordinator

City Attorney

Anthony Williams

Planning & Community Development

Reginald Tabor, Director
Sandra Robinson, Zoning Administrator
Kate Sangregorio, Preservation Planner
Deborah Porter, Secretary/Zoning Technician

1. What is The Comprehensive Plan?
2. Community Engagement Plan
3. Identity:
 - a. Who we were?
 - b. Who we are?
 - c. Planning Factors
 - d. Who we aspire to be?
4. Health, Wealth and Wisdom Element
 - a. Health Plan
 - b. Economic Development Plan
 - c. Community Development Plan
 - d. Housing Plan
 - e. Education Plan
 - f. Social Services Plan
5. Quality of Life Element
 - a. Arts, Culture and Entertainment Plan
 - b. Historic Preservation Plan
 - c. Tourism Plan
 - d. Parks, Recreation and Open Space Plan
 - e. Sacred Places and Spaces Plan
6. Movement of People, Goods and Utilities Element
 - a. Transportation Plan
 - b. Infrastructure Plan
 - c. Capital Improvement Plan (CIP)
7. Environmental Stewardship Element
 - a. Environmental Plan
 - b. Chesapeake Bay Plan
8. Safety Element
 - a. Public Safety Plan
 - b. Resiliency Plan
9. Current Land Use
10. Future Land Use
11. Appendices
12. Glossary of Terms

Introduction

The Comprehensive Plan for the City of Petersburg is intended to facilitate development and an Economic resurgence. This development and economic revival will come as The City turns its challenges into opportunities and capitalizes on its location, historical significance and rich history. The plan emphasizes the need for redevelopment in the Central Business District, revitalization and commercial corridors, while preserving the historic properties and neighborhoods that make the City unique.

Purpose of the Plan

The Comprehensive plan is a policy guide for how the community will be developed and managed. The existing conditions were examined in the City of Petersburg and the region. Developing the framework for this Plan was a process undertaken a few years ago and facilitated by Community Development Partners. The process involved recommendations and land use plans being developed from an analysis of existing conditions, public input, and meetings with community stakeholders. The plan has been updated to include development activities since the undertaking began. The resulting Comprehensive Plan is intended:

- To improve the quality of the City's environment as it relates to social, economic and physical realities;
- To guide future decisions of citizens, elected officials and staff as it relates to development;
- To provide for the well-being of all the community;
- To promote community goals, objectives and policies;
- To be the balance between technical and political aspects of community development in order to eliminate duplication of private and public projects; and
- To include citizen participation in community development; thus creating a sense of pride.

The Comprehensive Plan is not intended to be a binding, regulatory document. Rather, it is to guide elected officials and City Staff when determining the appropriate regulatory, enforcement and/or changes necessary in order to meet the established goals.

Legal Authority of the Plan

In the Commonwealth of Virginia it is by law that all jurisdictions prepare and adopt a plan for the physical development of their land and to review that plan at least once every five (5) years. The plan shall be developed in accordance with State Code sections 15.2-2223 through 15.2-2232, and shall be general in nature and designate the general location, character, and extent of growth. This plan is consistent with the provisions outlined in State code.

Plan Implementation

A Comprehensive Plan is only as useful as the ability of a City to implement its recommendations. The Comprehensive Plan will be implemented through a variety of tools available to the City:

- Regulatory measures (i.e. Code Enforcement, Zoning, Subdivision Ordinance)
- Financial Resources (i.e. Capital Improvement Program, Operating Budget, Grants, CDBG)
- Plans (i.e. Neighborhood Plans or Master Plans for specific areas of concentration)

- Partnerships (i.e. the Housing Authority, Cameron Foundation, Non-Profits, local Businesses, Homeowner's Associations, Schools, VSU)

Recommendations were made not just out of demonstrated need, but inline with the capacity of theCity to bring about the necessary changes through available resources. This Plan seeks to concentrate efforts in areas with maximum benefits to the residents of Petersburg. The City has potential and opportunity for improvement in every neighborhood with willing citizens to assist.

Petersburg's Comprehensive Plan

The following Plan looks at the demographics, economics, infrastructure, amenities, and historic and cultural assets. Although Petersburg is a dynamic City, this background information provides a base from which to assess the City and plan for its future. Following the demographics and cultural information are the Land Use Plan, Transportation Plan, and Planning Factors Map. The final section addresses goals, objectives, and recommendations, which provide guidance for Petersburg Staff and leaders the next 20 years and beyond.

Issues, Policy Goals and Objectives

The purpose of the Comprehensive Plan is to set the relevant policies which will help carry out Vision of the City. The intent of the Plan and its recommendations is to improve and protect the health, safety, and welfare of the citizens of Petersburg.

Issues

Issues identified through background reports, public input and consultation with community stakeholders are the foundation for formulating policy goals and objectives. It is important to note the identified issues are usually connected to other issues, and solutions may require a comprehensive approach which incorporates innovative and out of the box initiatives. Housing issues may be influenced by the economy while the economy is affected by land use and transportation.

Policy Goals

A policy sets forth the principles and values which will guide the actions to be taken by the City of Petersburg to solve identified public issues. In this document policies were formulated through input from the public and community stakeholders.

Objectives

Objectives are intended to be the beginning steps to overcome identified issues, and the means to carrying out adopted policies. Objectives are measurable tasks for which specific city departments and managers are responsible and held accountable. Objectives are categorized as Short Term: 0-5 Years, Mid Term: 5-10 Years, and Long Term: More than 10 Years.

Citizen Participation in the Process

The process to adopt the plan began back in 2008-2009, the City of Petersburg and K.W. Poore & Associates, Inc. hosted a public meeting. Residents were invited through newspaper advertisement, flyers, and blog postings to share their concerns and hopes for the future of the City. Later meetings were held in 2011, 2012-2015, to get additional feedback from the citizens of Petersburg. Staff participated in Ward meetings and informational sessions at several events and functions to gather the opinions and desires of the residents.

The major meetings were held at Union Station in Old Town. The evening began with introductions and a brief presentation by the consultants on the Comprehensive Plan process. Residents were then asked to provide their input. Stations were set up around the room addressing the topics of Economic Development, Public Services, City Image, Living Environment, Pedestrian Scale, Recreational Opportunities, Preservation, Health and Facilities. Residents wrote comments at each station, interacted with City Staff and each other, and provided check marks next to other comments with which they agreed strongly.

About 100 residents, staff, and community stakeholders were in attendance in the earlier meeting. The participation dropped off considerably at the more recent meetings. The topics on which citizens commented had been discussed and agreed upon previously with the Planning Commission. Citizen input from the meeting summarized in a spreadsheet and incorporated in the appropriate sections of the Plan. Citizen concerns ran the gamut of issues, the strongest emphasis, however, was placed on the underutilized historic assets and the City's image. In more recent meetings, the concerns varied and included safety, education and Economic Development.



Figure 2-1: Citizen Participation Meeting held at Union Station

History

Petersburg, Virginia, a “city rich in history that is dedicated to providing superior services while cultivating pride”.

Originally known as Peter’s Point, it received its charter in 1748 and became a City in 1850. Petersburg settled at its inland most navigable point, at the fall of the Appomattox River. Because of its location, it has a rich cultural, economic, and social history. When settlers arrived in the early 1600s, Native Americans mounted fierce resistance before signing treaties that led to flourishing trade. The growth of the tobacco market in the early 1700s brought about the near simultaneous founding of Richmond and Petersburg. For the next hundred years, Petersburg appeared to dominate as the logistical center of Virginia. During several decades following the Revolution, Petersburg’s free black population grew quickly, and Petersburg had one of the oldest free black settlements in the nation at Pocahontas Island.

In the 30 years leading up to the Civil War, Petersburg built its first railroads, the manufacture of agricultural and industrial implements and tools flourished. In the spring of 1864, General Ulysses S. Grant surrounded Petersburg, affecting the longest siege of an American city. After General Robert E. Lee and his Confederate forces abandoned Petersburg in April 1865, Lee surrendered, ending the Civil War. By the early part of the 20th century, the logistical and shipping center of Virginia had shifted to Richmond, leaving Petersburg the retail hub of Southside Virginia; several new industries were established in Petersburg. Founded in 1870, the Seward Luggage Company became one of the largest manufacturers of trunks and luggage in the country. Two other large companies formed during this era were Titmus Optical Company and Arnold Pen Company. These businesses contributed greatly to Petersburg’s thriving economy at the turn of the twentieth century. During this era department stores, grocers, specialty stores, and theatres lined Sycamore Street and adjoining streets in Old Towne and sprung up around the Halifax Street triangle.



Figure 2-2: Sycamore Street 1903

As Petersburg’s economy weakened in the 20th century, its population declined. As upper and middle classes fled to the suburbs, the city was left with a high percentage of low-income residents. The increase in demand for public services seriously strained limited financial resources.

Petersburg continues as a transportation hub with immediate access to Interstates 85, 95, and 295, and U.S. highways 1, 301, and 460, Petersburg is an attractive tourism and business location. Petersburg has several public and private industrial parks, several located within Enterprise Zones.

The City collaborates with State and regional economic development organizations to offer businesses assistance with site selection, permitting and workplace training.

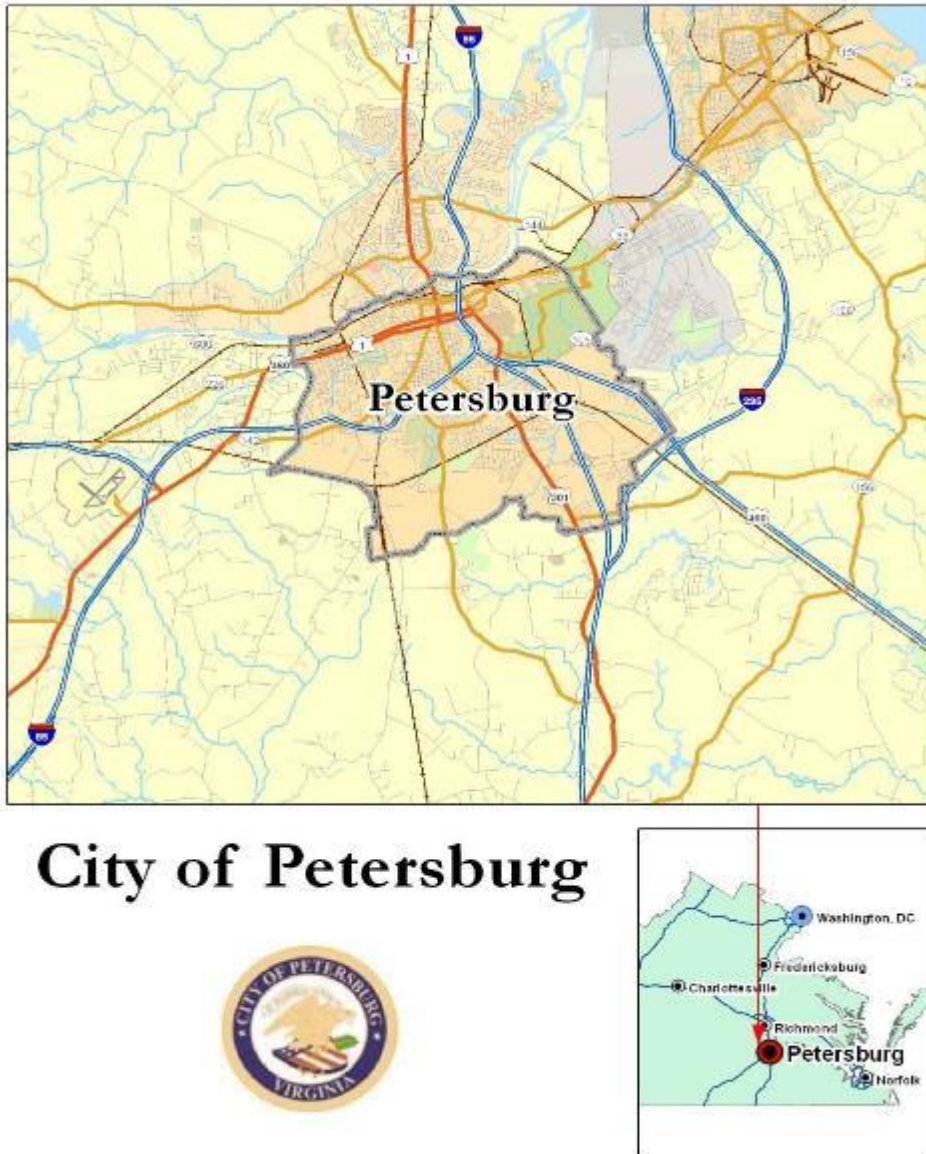
History, geography and phenomenally intact historic districts make Petersburg a community that people and businesses from all over the globe are embracing. Visible reminders of Petersburg's prominent role in the emergence of the country into a worldwide power are evident in the extensive architecture and streetscapes that remain. The City rises from the banks of the beautiful, unspoiled Appomattox River where the City will create a Heritage Trail along its southern shore for the public to discover this rare asset. The majesty of the Appomattox continues to drive support and assistance from the U. S. Army Corps of Engineers for the re-establishment of the City's harbor as a navigable connection to the James River, the Inter-coastal Waterway, the Chesapeake Bay and the Atlantic Ocean. Petersburg is experiencing a true Renaissance.

On August 6, 1993, a destructive tornado touched down on the southwest side of Petersburg, and rapidly intensified as it struck the historic downtown area of the city. Several well-built, multi-story brick buildings leveled. Pocahontas Island experienced major losses in the storm; 47 homes and a church. Although it has taken the City a while to bounce back from the devastation, Petersburg and its people remains resilient.



Figure 2-3: A view of the Petersburg courthouse, downtown

The historic City of Petersburg is located in South Central Virginia, twenty-three miles south of the City of Richmond, 130 miles south of Washington D.C. and twenty-three miles west of the Chesapeake Bay. Petersburg is situated at the Falls of the Appomattox, on the boundary between the Tidewater and the Piedmont, between the Chesapeake and Albemarle basins. Located along the eastern seaboard, approximately halfway between New York and Florida, Petersburg is situated at the juncture of Interstates 95 and 85. The City of Petersburg is 23.1 square miles in size, and it is one of 13 jurisdictions that comprise the Richmond-Petersburg Metropolitan Statistical Area.



Map 3-1: Street Map of Petersburg

Today, the City is alive with revitalization projects as premiere examples of architecture ranging from the 18th - early 20th centuries. Many of the damaged homes restored and occupied as private residences; the church on the Island is the place of worship to many families who have rebuilt their homes and remained island residents.

As the automobile brought changes in land use patterns, the Interstate interchanges have also brought clustered hotel and highway commercial land uses, especially at the Washington Street interchange. The interchange at Wagner Road has recently proven to be vital for industrial growth east of Interstate 95 in the southern portions of Petersburg around the new Southside Regional Medical Center.

Park and recreation land uses are found throughout the City. Some of the largest areas dedicated to a single use in Petersburg fall under the category of parks and recreation. Although also considered a cultural resource, the Petersburg National Battlefield is a park area of 750 + acres, where residents and visitors can experience Petersburg's role in the Civil War as well as hike or ride bikes. Lee Memorial Park, the Dogwood Trace Golf Course, and the Petersburg Sports Complex are found in the southern part of the City, surrounding Petersburg high School. Together they create a large tract of recreational and park land use similar in size to the Petersburg National Battlefield.

Except for the Old Town area, the land uses in Petersburg are largely separated from one another. Commercial zones are clustered along major arterial roads with residential areas comprising most of the land use throughout the city.

As noted in the Population section, the percentage of elderly residents in Petersburg is expected to increase over the next 20 years. It is important for people to have the option to remain connected to their communities, remain as independent as their health will allow and have access to a full range of local services (educational, cultural recreational) as they grow older. This concept is known as "aging in place." Appropriate land use policies are key to ensuring that this can occur. Future land use policies should encourage growth in inner city neighborhoods which have shown the greatest decline over the year. Future land use policies should also encourage development that results in a sustainable pattern of land use which creates neighborhood centers and allow for multi-modal transportation options. This will involve working with developers and redevelopment to move away from the suburban separation of uses and create neighborhoods with mixed amenities that will create mixed-income neighborhoods.

In addition, the city has experienced a resurgence of development with many of the old warehouses converted into lofts and mixed-use developments. The City has a vast array of entertainment options including a thriving arts community and numerous historical sites, museums and attractions coupled with a unique architectural landscape that has been preserved and enhanced over time resulting in a thriving tourism industry. There are numerous restaurants and shopping options located in Old Town and South Crater Road, and a state-of-the-art health care facility. The City has a well organized transportation system including walking and cycling trails.

The City of Petersburg with the help of its community partners is providing a health and wellness program to enhance the citizen's quality of life. The National Guard assists each year in demolishing blighted property and creating green space. A non-profit citizen advisory board assists Parks and Recreation with Wilcox Lake, which is located at one of the City's parks. Through the cooperation of friends of the Lake, the City has designed and provided walking trails. The Tennis and Basketball courts at Lee Park have been revitalized through funding provided from the Community Development Block Grant. The friends of the Library have assisted the City's Library to offer a Healthy Living and Learning Center. The City recognizing a need for a better healthy way of living created among its staff and community leaders, a Quality Circle and Heal Petersburg Taskforce. The Army has substantially

expanded activities at nearby Fort Lee, home of the United States Army's Sustainment Center of Excellence, as well as the Army's Logistics Branch. Together, all these features deliver a desirable location for those looking for a strong sense of community.

The City will provide ethical, dynamic, and effective leadership, establish clear direction and priorities, and model the mission and values in support of our common vision.

There is a new optimism on the streets.

Population

Demographics and population trends are an important part of the Comprehensive Plan. They reveal unique characteristics that have implications for the economy, schools, land use patterns, housing needs, and public services. The first section offers a demographic snapshot of Petersburg with projections based on current trends.

Petersburg has experienced population fluctuations and demographic shifts associated with economic growth and social changes since its history began with the establishment of Fort Henry in 1646. Since the late 1970's the City has been dealing with the loss of population; Despite the population peak in the 1980 Census at 41,055, which was attributed largely to the 1972 annexation of land from Dinwiddie and Prince George Counties. This increase in population was short lived, and the outward flow of people continued with suburban growth in the region. Petersburg has shown steady population loss in the 1990, 2000, and 2010 Census. As shown in Figure 1.1. However, the same chart shows an increase in population between 2010 and 2020 and continuing to increase through 2040.

Nevertheless, population projections are merely estimates and the City's declining population over the decades has definitely not predetermine the City's future. The slight increase in population between the last census reporting and today is due to proactive redevelopment and policy changes instituted by the City. There are many great examples that demonstrate the fact that the downward population trend is changing. Southside Regional Medical Center is one of the success stories. The new hospital location has spurred growth in the southern part of the City, and there was a slight increase in population in Petersburg in 2007 and 2013. This trend is projected to continue to increase as residents are coming back to Petersburg. The redevelopment efforts cannot just encourage new development but must also creatively encourage reinvestment in the older neighborhoods of the city. Understanding the population trends and demographic characteristics, the City has a means to measure its success at revitalizing and reinventing itself.



Figures 3-1 & 3-2: Good times in Petersburg

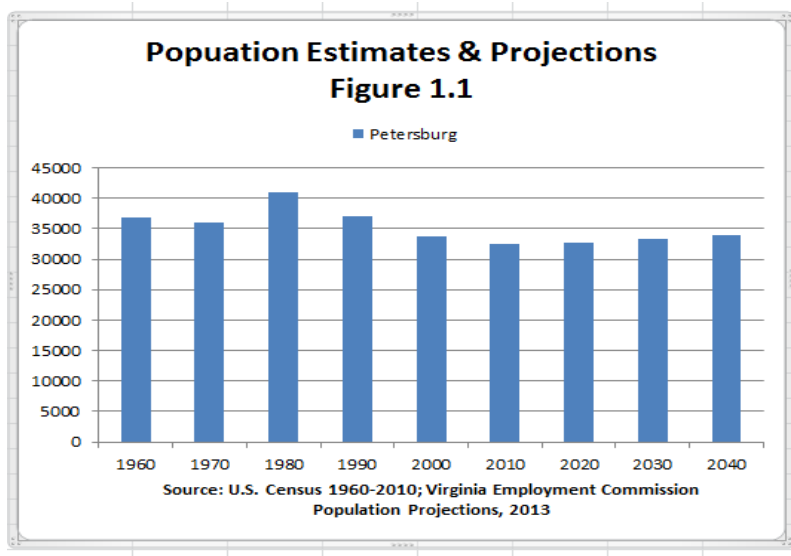


Figure 3-3: Population Estimates for Petersburg, 1960-2040

Regional Population Trends

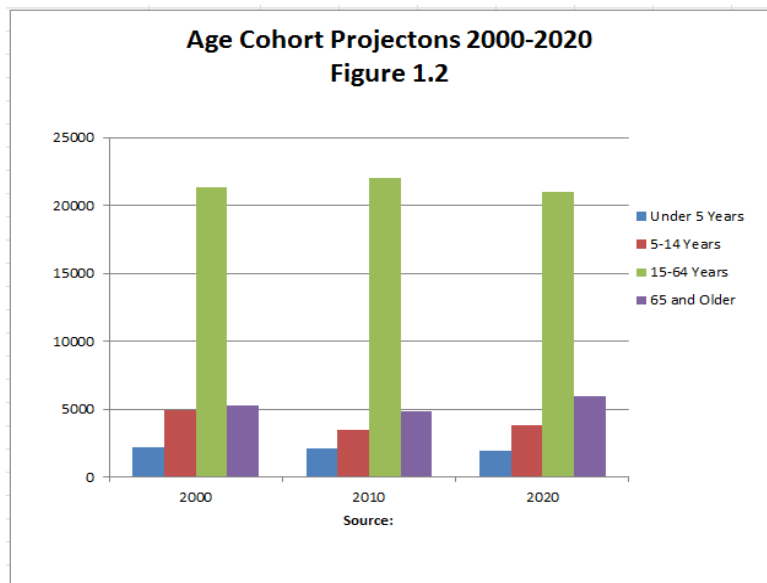
Regionally, the five localities neighboring Petersburg have experienced modest population growth with the exception of Chesterfield, which has had relatively explosive growth attributed to the overall expansion of the Richmond metro area. Although the City of Hopewell also experienced population loss, Petersburg has the greatest decrease in population about 9% since 1970.

There are several factors that can attribute to a declining population. The lack of employment opportunities in the City may be the major factor, along with affordable housing options and a challenged education system. Despite the shrinking population the city has managed to deliver services and experience economic investment. In order to appeal to new residents, the City has strategically prioritized its efforts to address ways to stimulate the economy with development and job creation, pay attention to the aging facilities, infrastructure and housing. While a seemingly monumental task, the strategy calls for prioritizing the City's resources to focus on its gateways, economic development from private investment, infrastructure, housing and public facilities. This strategy requires the City to leverage its investment with private investment to stabilize and revitalize the areas in decline.

It is also necessary to understand the dynamics of a shrinking population. Although, the City is riding the wave as the population has slightly increased and is projected to continue it is important for the City to address the issues that caused the decline for several decades. An aging population requires different services than a younger population. The new trend now of single young professionals known as SINKS (Single Income no kids) and two-person professional households with no kids known as DINKS (Dual income no kids) needs will be different from families with children. Similarly, financially challenged urban populations require different public investments than an affluent and growth oriented suburban area. The city will need to balance the different people who make up the communities while balancing services to all groups of persons. While Petersburg land use comprises rural, suburban, and urban landscapes; socioeconomic data suggests that there be policies focusing on the urban population, and the areas of the City which are losing residents. An understanding of the reasons why people move away from the City will be the first step in correcting the problem and making great strides to retain, at minimum, the current residents.

Demographics

For Petersburg, what appears to have been a challenge in earlier census data showing a decrease in population, there has recently been a small uptick in the number of persons moving back to Petersburg. The elderly population is remaining in their homes with their children moving back to care for them. VSU graduates remain in the area, and a wide-ranging selection of housing opportunities may be the reasons for this increase. As the chart below indicates, people ages 15-64, which comprise most of the workforce, are declining in absolute numbers, and also declining relative to the senior population (65 and older). By 2030, the senior population is expected to increase, while the work force age population is slightly decreasing which may result in a short- and long-term implication on the services provided and the economy. A declining workforce age population suggests that persons that will contribute to the economy are not living in Petersburg. Diversifying the skills of the City's population and offering training opportunities through its collaborative partnerships will assist the city in attracting employers seeking a skilled workforce.



Figures 3-4: Age Cohort Projections for Petersburg, 2000 - 2020

Race is a demographic characteristic which has changed overtime. Traditionally, the City has had nearly equal residents of whites and blacks, but since the 1960's the composition of the City has become primarily African American, with the white population majority shrinking to a minority. The 2010 Census shows African American make up 76% of the population and whites 15% with the remaining 9% made up by other races. To have greater diversity among the population, Petersburg's government needs to see what industry and amenities attracts such diversity, and then aggressively seek to provide that culture and market the City of Petersburg. Diversity in nationality and income levels will be a welcome change, and a necessary one to see a progressive impact on the local economy.

According to 2010 Census figures, gender ratios for the state show a general even split between male and female. In the City of Petersburg, the percentage of females is slightly higher with about 53.3% of the population being female.

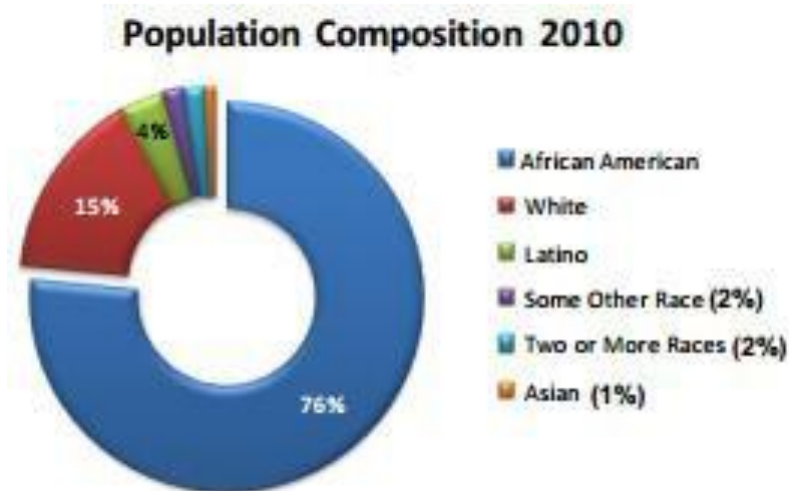


Figure 3-5: Racial composition of Petersburg's population, 2010

Income and Poverty are socioeconomic characteristics which are indicative of economic circumstances. Income growth suggests that quality of life is improving. Stagnant incomes suggest a weak economic base. Income levels of the residents of Petersburg will help to gauge capacity within the City for economic growth. The quickest reference for income levels in a locality is the Median Household Income, with half of the households above that number, and half below.

Median household income (MHI) in Petersburg in 2005 was \$30,942. This was significantly lower than the state median income of \$55,476 for that same year. However, the latest census data available shows level of growth. The State's \$63,907 is a 9% increase since 2005. Encouragingly, The City of Petersburg, though well below the State median, has also shown a 9% increase in MHI. Today, latest census estimates show Petersburg's MHI at \$35,874. The increase of the MHI is positive and shows growth; even though the percentage of the increase is small; it's not stagnant. Compared to adjacent cities in the region, Petersburg has the lowest MHI. Nevertheless, aggressive economic policies should positively impact the MHI to show over time a different picture.

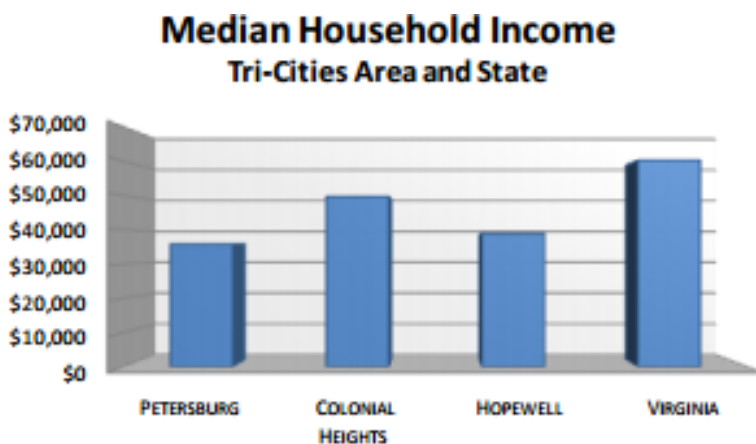


Figure 3-6: Median Household Income in Petersburg & surrounding localities

Poverty levels are an indication of the well-being of a community. Poverty definitions used by the Census are determined at the federal level. Poverty status is determined for a family by comparing income with the federal income thresholds appropriate for a family size and compositions.

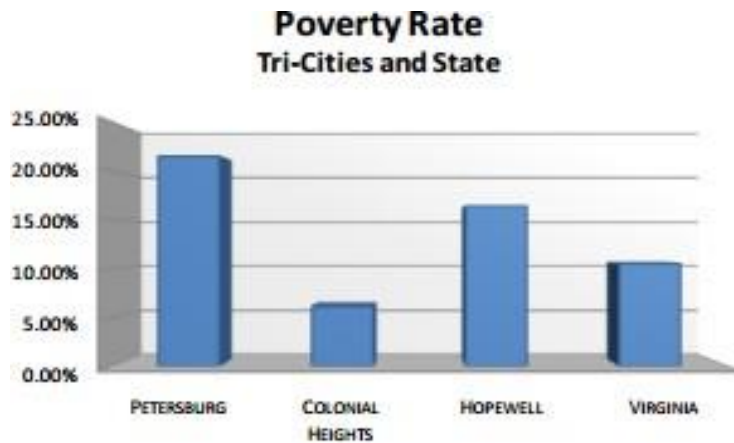


Figure 3-7: Poverty rate of Petersburg & surrounding Localities

The poverty struggle is not isolated to the City of Petersburg, although the numbers may give a different impression. The well-being of a community is reflective in the number of persons and households below the poverty level. This national crisis has not occurred overnight and will not be solved overnight. However, the City of Petersburg is consciously working in collaboration with the City's partners to have an impact through programs and services that will not burden the existing system. This out-of-the box method of moving forward is going to improve its socio-economic standing and empower a people to help themselves. As seen in the income section, low median income levels are a sign of a weak economy. Combined with high poverty rates, this suggests many citizens in Petersburg are struggling to make ends meet. In 2013, Petersburg had 19.6% of the population living below poverty according to the American Community Survey (ACS). This is a decrease since the 2010 Census as shown in the chart above of about 21.3% of the population living below poverty. Addressing poverty is a challenge in the short and long term. These statistics must not be looked at merely as numbers to be lowered, but as evidence that there are Citizens of Petersburg in need of economic opportunity. The Departments of Social Service and Workforce Development have mobilized to assess the needs within the community. This assessment will be used to creatively partner with the community resources to deal with the crippling factors and develop the programming and training that is necessary to see change. These solutions must also address the high percentage of children nationally below the age of 18 living in poverty and must include the academia community in developing and implementing results-driven strategies.

Planning Factors (The Current Situation)

Planning Factors are items which are influential on the future development of the City of Petersburg. The Planning Factors are intended to bring to the attention of the policy makers areas of consideration so that the City of Petersburg will be prepared for how these issues may impact the community as well as surrounding communities.

1. **Fort Lee/BRAC** -The expansion of Ft. Lee has doubled the size of the base population and has brought in approximately 11,000 new residents to the region. The close proximity of the City to the military installation presents a myriad of challenges and opportunities. The City is constantly looking for opportunities to offer a variety of housing options for those families looking for housing. Land uses closest to Ft. Lee along Route 36 are in the process of being evaluated to make sure the appropriate zoning district is mapped. Transportation needs must be considered, and Petersburg Area Transit has implemented an additional route to connect the military base to the City. Additional routes and service lines are always considered when the City considers mobility and connectivity options. The current public school system may not have us in the best position to attract families, but the school administration and school board are making great strides. A military initiated program- the Army Community Heritage Partnership (ACHP) was extended to Fort Lee in Petersburg, Virginia in 2006. It provides joint support from the U.S Army and the National Trust for Historic Preservation Main Street Center working with the City of Petersburg. The Mission of the program was to help Petersburg understand how to better serve the Fort Lee army population. The research resulted in the military's desire for the City to enhance its historic downtown by creating residential options in the downtown area, increase shopping, and dining opportunities and to focus on the city's gateways; specifically, the Route 36 corridor which connects Fort Lee to Petersburg.
 - a. Associated Fort Lee Growth along Route 460 –Fort Lee's expansion has also resulted in opportunities for the 460 corridor where civilians may wish to locate industries in close proximity to the base. Route 460 is advantageously poised to handle industrial, residential, and mixed-use businesses. As the City continue to manage its growth it may become necessary in the future to initiate a city-wide rezoning to change the zoning to facilitate this growth.
2. **Blighted Entry Corridors** – There are two highly visible and traveled entry corridors in the City that are ripe for redevelopment:
 - a. Route 36 from Fort Lee – this is a gateway for residents, tourists, soldiers which are currently underutilized. Outdated suburban strip development lacks a sense of place and is not very welcoming.
 - b. Interstate 95 at Washington Street (Exit 52) - this is the primary entrance into the City of Petersburg to go to Old Town, the Central Business District and Petersburg's historic neighborhoods. The welcoming committee for this entry into the city consists of run-down and vacant motel developments as well as highway-oriented strip development which create an old and abandoned environment not conducive for business.



Figure 3-8: Petersburg, viewed from the Appomattox River

3. **Underutilized Waterfront** - The City's waterfront along the Appomattox River is an underutilized asset. Efforts to enhance waterfront access should identify potential locations of future access points for recreational fishing or boating, and should include the development of docks and piers in a manner that minimizes adverse impacts on water quality, protects shorelines and streambanks from erosion, and preserves existing riparian buffers or establishes new buffers, as appropriate.
4. **Neighborhood Revitalization** - planning for neighborhood revitalization should seek to nurture investment and the signs of life emerging from three areas:
 - a. Ross Court – Virginia LISC, Elder Homes, and Trinity Capital Development have undertaken the first of many planned revitalization efforts. In total, 14 houses have been discussed and planned to be renovated or constructed with improvements to street, water, and sewer infrastructure.
 - b. Halifax- this area has recently seen the expansion of the Poplar Lawn Historic District, the relocation of the Petersburg Redevelopment and Housing Authority offices to the neighborhood, and the construction of a new multi-modal transit center.
 - c. High Street- conversion of the Seward's Luggage factory into apartment lofts and the restoration of Victorian homes along High Street have brought a diverse mix of housing extending from Old Towne.
5. **Virginia State University & Expansion** – the master plan for VSU calls for the significant expansion and construction, primarily oriented toward the entrance from East River Road. Petersburg can engage VSU for future partnerships and better town and gown relations.



Figure 3-9: Virginia Hall at VSU

Virginia State University has formulated a Master Plan and 20/20 plan in which they included representatives of the City of Petersburg in the planning process. Both plans present opportunities for the City of Petersburg to partner and capitalize on the expansion of programs and the university. However, the existing Master Plan calls for the majority of University improvements to orient the primary gateway and campus life to the Chesterfield and Colonial Heights entrance with minimal connections and improvements associated with the City of Petersburg. The main entrance to the University is no longer considered to be the historic entrance neighboring Petersburg along the Appomattox River.

The plan is being revisited and the City of Petersburg has been invited to the table to be a part of the process. Cultivating the relationship between the current administration and city officials is proving to be the first step.

6. **Parkway Easement Issues** – There was pressure from development to access Defense and Flank roads. The City of Petersburg will need to actively plan and engage stakeholders if they intend to act as stewards of historical resources dating back to the Civil War.
7. **Battlefield / Viewshed Preservation** – the National Park Service and other preservationists have voiced concern over encroaching development around the battlefield site on Flank Road across from Fort Wadsworth in the south-west corner of the city. The city and National Park Service need a good working relationship to protect these unique resources.



Figure 3-10 – The former site of the Southside Regional Medical Center

- 8. Former Southside Regional Medical Center** – The former hospital site is an opportunity for redevelopment. There is a master plan down through funding from the Cameron Foundation. The hospital was an important part of this portion of Sycamore Street and close attention should be given to its stability.
- 9. New Southside Regional Medical Center** – the new hospital has spurred commercial, retail and residential growth along South Crater Road. The new location provides momentum for job growth in the fastest growing part of the city and is an example of successful and proactive planning to keep the new hospital within the city limits.
- 10. South Crater Road Growth Corridor** – the growth along South Crater Road is a welcome economic boost for the city. The progression and pattern of development should be of concern to the city, however, because it shows a progression for growth to go beyond city limits. Sprawling development to neighboring localities has been problematic for Petersburg in the past, and the continued progression of low-density strip development along South Crater Road could bring about these same problems in the future if growth is not managed responsibly.
- 11. Wastewater Treatment Plant Upgrades** – In order to assist with meeting the City of Petersburg’s commitments under the third Chesapeake Bay Watershed Improvement Plan (WIP III) in response to the Chesapeake Bay TMDL, the sewer treatment plant is undergoing upgrades that will enhance its ability to reduce nitrogen discharges in the water it processes. This project is assumed to complete construction by 2024. This will require the purchase of credits until the plant is brought into compliance. This will be a considerable expense for the City of Petersburg and other member local governments in the near term.
 - a. Water/Sewer Service** – the area south of Defense Road and west of the railroad in the western portion of the city lacks water and sewer services. This will need to be addressed if development is to be encouraged.
 - b. Aging water / sewer lines** – many of the water and sewer lines are in need of replacement and repair. The city’s infrastructure is about 100 years old and significant investment is required to avoid failure in the system.
- 12. Riparian/wetland protection and setbacks** – Riparian buffers are needed to protect and improve the water quality of local waterways, including the Appomattox River, and the Chesapeake Bay in preparation for any development to occur along the river front. This can be achieved through zoning regulations and compliance with the City’s Chesapeake Bay Preservation program. These buffers should be protected where they exist and reestablished where they once existed.
- 13. Shortage of Large Industrial Parcels** – the economic development of Petersburg has been largely dependent on attracting new industrial jobs. With a shortage of available large tracts of land, there will need to be efforts to assemble smaller parcels, purchase underutilized land for redevelopment, or a shift in economic development strategy.
- 14. Water quality improvement through development and redevelopment** – Managing water resources is vital to Petersburg’s future. Virginia’s regulations regarding erosion and sediment

control and stormwater management give the City a road map for responsible future development, and the city's own regulations limiting the area of impermeable surfaces permitted in development projects provides an additional safeguard against flooding, and protects water quality by controlling runoff, preventing erosion, and filtering nonpoint source pollution from local waterways. The City is working with the Virginia Department of Environmental Quality (DEQ) to comply fully with the Chesapeake Bay Preservation Act and is committed to active implementation of its Bay Act program during the development review process.

Most of the City of Petersburg lies within the Chesapeake Bay Watershed. This comprehensive plan establishes an information base and policy framework to guide future land use and zoning decisions in a manner that protects the quality of local waters and ultimately the Chesapeake Bay as development occurs. This element of the plan is based upon known physical constraints to development, including soil limitations, and other considerations such as floodplains, steep slopes, designated resource preservation areas and resource management areas, and manages the development or redevelopment of underutilized or vacant land, infill parcels within the urban core in a manner that complies with existing environmental regulations.

In the year 2020, Petersburg Virginia has become an economically, environmentally, and socially vibrant community with a physically active, well educated, healthy and diverse citizenry. Continuing the legacy of a thriving faith filled City where there are private and public partnerships that enhance the City's heritage and promote the spiritual and emotional health of all the City's residents. There are amyriad of housing opportunities and options ranging from single family dwellings to urban apartments; retirement villages; assisted living facilities and live-work housing units. The City has a vast array of entertainment options including theater, a symphony orchestra, a thriving arts community and numeroushistorical sites, museums, and attractions. The many entertainment options coupled with unique architectural landscapes having been preserved and enhanced over time have resulted in a thriving tourism industry. There are numerous specialty restaurants and shopping options, state of the art healthcare facilities, recreational sports facilities, and green infrastructure improvements.

The City has a well-organized transportation system including walking; cycling and fitness trails, as well, as local and regional mass transit facilities for air, rail, and water routes. There is a waterfront that is eclectic and vibrant promoting and bringing families, and visitors to an exciting array of activities. The infrastructure has been upgraded to facilitate planned growth and expansion as well as provide for the stability of its many neighborhoods. There are beautiful green spaces throughout the City allowing for amix of urban and suburban parks, which forms a network of recreational uses for families and individualsto enjoy.

A School system revamped to be among the best in the State of Virginia and highly ranked in the Nation;boasting small class sizes; state of the art equipment; quality teachers and gifted and talented students that are bright and eager to learn.

The City's government services and level of accessibility are unparalleled in the region. There is a healthy balance of industry, business, residences, and services resulting in stable, growing property values and aneconomically flourishing community. There are volunteer and professional opportunities for citizens of allwalks of life and ability. There are new businesses including local entrepreneurs providing jobs and employment opportunities for the citizens of Petersburg. Petersburg, Virginia a wonderful place to live, work, and play.

There is still undeveloped land within the city limits. Rural and vacant land within the City is an attractiveasset for industrial, retail, and residential developers. The revenue and synergy from new developmentsmust be balanced with efforts to revitalize declining areas if the City is to comprehensively support economic vitality. Interviews with various economic development partners and agencies in Petersburg and factors that have come from previous revitalization strategies which reveal valuable input on commonthemes listed below: An updated status to the input has also been provided so that Petersburg can see the issuemirrored by the plan of action.

Population Health

The Virginia Department of Health (VDH) defines population health as 1) the study of the distribution and maldistribution of health outcomes of a group of individuals, 2) the identification of the root causes that influence the inequitable distribution of those health outcomes, and 3) the development and implementation of policies, strategies and interventions that influence those health factors. The Code of Virginia, in describing the comprehensive plan, states “The comprehensive plan shall be made with the ... harmonious development of the territory which will... best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, including the elderly and persons with disabilities.” Population health is inherent to the basic purpose of the comprehensive plan, and is a significant component to an overall positive quality of life for residents. Collaborative effort is critical to addressing the root causes affecting population health in Petersburg. The comprehensive plan is an ideal place for this collaboration to begin. Planning, as a professional field, is rooted in public health. Public health is a key component of thriving communities as they continue to grow. Additionally, the Joint Call to Action to Promote Healthy Communities calls upon eight national organizations, including the American Planning Association (APA) and the American Public Health Association, to work collaboratively toward healthier and more equitable communities.

This is the first iteration of the Petersburg Comprehensive Plan to include a public health/population health section. Additionally, population health is interwoven throughout different sections of the Plan, which ensures that health is considered in all aspects. Interweaving health aligns with recommendations from the APA on Healthy Plan Making. Additionally, it provides the best opportunity for Petersburg to systematically address the root causes of poor health outcomes.

Petersburg faces several health challenges including a three-year premature death rate average more than 2.5 times higher than the state. Additionally, the City experiences an adult obesity rate of 40% compared to 30% for the state, and approximately 22,639 residents live in a food desert.

Several community initiatives, partnerships and organizations exist to address these types of health challenges. The recommendations in this section are intended to build upon or complement existing work and relationships.

Recommendations

1. Adopt and Implement a Complete Streets Policy
2. Create a Multi-modal Transportation Network
3. Design a Promotional Campaign that Establishes Physical Activity as a Cultural Norm
4. Explore Opportunities for Public-Private Partnerships to Attract Sustainable Healthy Food Retail Outlets
5. Promote Healthy Eating and Cooking Education Programs in Non-Traditional Settings
6. Invest in Job Training and Placement Programs and Policies
7. Develop Trauma-Informed Response Policies for City Operations

The recommendations listed above are a call-to-action for diverse partnerships to work toward population health improvement and the equitable distribution of health and resources throughout the City. The included recommendations are evidence-based tactics that promote physical activity and healthy eating, as well as an overall healthy and resilient community.

Complete Streets Policy

Complete streets are streets that are designed for everyone using different transportation modes. This includes walking, biking and wheelchair accessibility among others. The City of Petersburg, with support from the Crater Health District under the VDH and with consultation provided by the National Complete Streets Coalition, completed a process to develop a complete streets policy. It is recommended that the City adopt the complete streets policy and begin using a complete streets “lens” for street and sidewalk improvements, updates, and maintenance.

Multi-modal Transportation Network

A multi-modal transportation network would allow safe access to walking and biking on Petersburg streets, as well as safe access for people travelling by wheelchair. Additionally, it would create easier access to recreation facilities and other opportunities for physical activity. Furthermore, a multi-modal transportation network could increase equitable access and marketability of Petersburg’s natural attractions, e.g., signage and/or pathways connecting urban trails to natural trails such as the Appomattox River Trail. Residents are more likely to bike and walk when their environment provides opportunities for active transportation to local destinations. Walkable and bikeable streets can also strengthen community and promote social equity. Furthermore, multi-modal transportation improves actual and perceived safety.

The guidance below is included in the Transportation section of the Petersburg Comprehensive Plan 2021. The Transportation section includes examples and recommendations for implementation as well.

- Pedestrian facilities should be prioritized in neighborhoods connecting to local schools, observed areas of pedestrian activity where there are currently no facilities, and new development.
- In addition to bicycle facilities, intersection treatments should be used to ensure navigating by bike is safe, intuitive, and brings awareness to motorists.
- Bike parking installations should focus first on key destinations within the City.

Promotional Campaign that Promotes Physical Activity as a Cultural Norm

Creating access to physical activity opportunities alone is not enough to see individual behavior change. According to the 2020 County Health Rankings, over 90% of

Petersburg residents have access to exercise opportunities. However, nearly half are considered overweight and 29% report no physical activity outside of work. The culture of the community is a strong influence for residents' use of physical activity (exercise) opportunities. Campaigns that shape walking and biking as the cultural norm have shown success at increasing physical activity. Particularly when the campaign includes incentives for residents to do so. Public service programs could be an ideal place to pilot resident incentives for physical activity. In addition, a promotional campaign should also address any perceived barriers to physical activity such as crime and safety.

Some best practices for implementing a community-wide physical activity campaign are below. The campaign should be:

1. Culturally sensitive and tailored to reach different demographics within the community;
2. Done over time and in conjunction with other policy and systems change recommendations;
3. Planned and implemented collaboratively with diverse partners; and
4. Designed with evaluation and adaptability in mind.

Examples of community-wide campaigns include Mebane on the Move and Shape Up Somerville. Additionally, the Move Your Way campaign is an adaptable model example.

Public-Private Partnerships to Attract Sustainable Healthy Food Retail Outlets

Equally important as physical activity, healthy eating is imperative to good health. Many Petersburg residents live in a food desert, meaning they have limited or no access to options for fresh, healthy food. These residents are concentrated in the wards with the lowest income and resources. Attracting sustainable sources of healthy food may help to ensure equitable access to healthy food options for all Petersburg residents. It is recommended that the City identify and attract and/or improve alternative options for healthy food retail outlets. Examples include small groceries, farm stands or markets, cooperatives, etc. Additionally, it is important that public benefits are accepted at these sites, and transportation to them is not a barrier. Furthermore, the City should explore opportunities for public-private partnerships and financing models to support these ventures and alleviate financial burden on the City or its residents. It may be beneficial to formulate a special committee to explore opportunities to advance this recommendation.

Some available resources and best practices include the following:

- America's Healthy Food Financing Initiative
- Grocery Store Attraction Strategies: A Resource Guide for Community Activists and Local Governments
- Healthy Food Policy Project

Healthy Eating and Cooking Education Programs in Non-traditional Settings

Availability of healthy foods combined with knowledge of how to prepare those foods has shown more success than either approach alone. Several programs exist to educate residents on healthy eating and cooking. Creating partnerships to expand these programs may help to increase awareness and participation. Particularly, if expansion includes access to these programs in places where residents already frequent, to include non-traditional sites. Examples may include public service offices, corner stores, schools, large employers, food pantries or medical/dental offices.

Investment in Job Training, Placement Programs and Policies

Workforce development, i.e., job training and placement, has been linked to several community benefits such as increased earnings and employment. As of 2018, the unemployment rate for Petersburg was 6.1% compared to 3% for the state. Over 75% of residents that participated in the Community Themes and Strengths survey as part of Crater Health District's Community Health Assessment identified 'job growth and a healthier economy' as something that would improve quality of life in the community. Combination with other recommendations could advance these efforts. For example, attracting a healthy retail outlet could also create job opportunities. Additionally, policy and systems level initiatives that support workforce development could help to decrease poverty rates in the City.

Furthermore, considering youth engagement is a best practice for workforce development. This helps to maintain a consistent community workforce over time.

Trauma-Informed Response Policies for City Operations

The experience of trauma has a significant impact on children, and the results are often seen in adulthood. Experiences of persistent trauma can include exposure to violent crime, generational poverty and food insecurity among others. A systematic, trauma-informed response is critical to minimizing the effects of trauma on youth and the community-at-large. It is recommended that each City department assess current, and evaluate new, departmental policies and practices through a trauma-informed lens. It is further recommended that the City adapt or develop a trauma-informed policy-screening tool in collaboration with trained and supportive community organizations.

Economic Development

Petersburg's 250-year history has experienced significant economic and demographic shifts. The location of the city has been important in determining its success as an employment center for the region. Its position as a port on the Appomattox River, a Railroad Hub, convergence of Interstates 85 and 95, Routes 1 and 460 are all part of the transportation network that move people and goods and influence decisions made by industries in the City.

As with many Cities in the United States, interstate construction and federal housing policies opened up the countryside beyond the City limits to new retail and housing developments. The post-World War II era has presented many challenges to the Petersburg economy as manufacturing has declined and the rise of the suburbs are two major factors that stripped the City of its population and retail base. Yet, Petersburg is indeed still an employment center for the region, with a strong health care industry and the ability to revive its economic base.

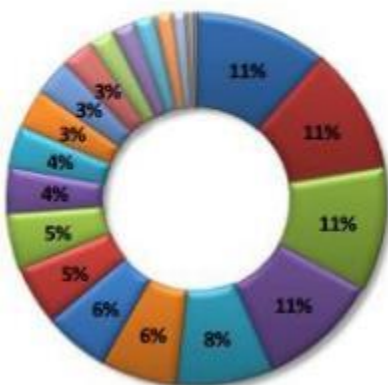
As the graphs to the right indicate, the Petersburg economy, in comparison to the Commonwealth, shows specialization in Health Care, Government, and Retail Trade. The Retail and Healthcare industries have been a growing portion of the economy, while manufacturing has also been a growing portion of the economy, while steady declining in other areas. In other industries, the City is on par with the rest of the State, except for Scientific & Technical Service, which comprises only 2.1% of the economy in Petersburg, compared to 11% statewide.

City of Petersburg Primary Employment by Industry - 2010



- Health Care and Social Assistance
- Local Government
- Retail Trade
- Manufacturing
- Food Services & Accommodations
- Waste Management
- Other Services
- Wholesale Trade
- Construction
- Warehousing 2%
- Finance 2%
- Scientific/Technical services 2%
- State Government 2%
- Federal Government 1% or less
- Educational Services 1% or less
- Information 1% or less
- Management 1% or less

Virginia Primary Employment by Industry - 2010



- Retail Trade
- Professional, Scientific, Technical
- Local Government
- Health Care & Social Assistance
- Accommodation/food services
- Manufacturing
- Waste Management
- Construction
- Federal Government
- State Government
- Other Services
- Finance & Insurance
- Wholesale Trade
- Transportation / Warehousing
- Information 2%
- Management of Companies 2%
- Educational Services 2%
- Real Estate 2%
- Arts & Entertainment 1% or less
- Agriculture & Forestry 1% or less
- Utilities 1% or less
- Mining/Oil & Gas Extraction 1% or less

Figures 4-1 & 4-2: Primary Employment by Industry in both Petersburg (Top) and Virginia (Bottom), 2010

Unemployment & Income

While the Petersburg economy is diverse, the growth of lower wage jobs without commensurate growth in middle and high salaried employment is a concern. Therefore, it is important to understand the economic indicators such as unemployment and income to gain a comprehensive perspective on current economic conditions.

Petersburg's unemployment rate exceeds the rate for the region, the State, and the Nation. It has been consistently higher than the State's by a range of 1% to 4% in the past 10 years. Another factor of employment, which is harder to gauge, is underemployment (persons working part-time desiring full-time work, persons working multiple part-time jobs, etc.). The Virginia Economic Development Partnership estimated that in 2010 an additional 1,519 persons of the workforce in Petersburg was underemployed. This is reflected in the City's low median income.

Even though the regional economy is growing, it is apparent that growth has not been completed experienced by Petersburg. With too many neighborhoods at low-income levels, it is difficult to attract business and industry that will revitalize a neighborhood or corridor. High unemployment, high underemployment, and low median household incomes are in part due to losing higher paying manufacturing jobs, which have been replaced partially by lower paying retail and fast-food sector jobs.

Since job opportunities in the City are limited, it is imperative that access is available to jobs and this factor is being addressed on a regular basis by Transit. Additional routes and assessments are done regularly to see which other markets offer employment opportunity and the ability to earn a higher wage. In addition to Transit creating solutions and implementing them; regional cooperation will be required to connect people to employment. For Petersburg, it is also meaningful to understand the commuting patterns for the city, how this relates to economic opportunity, and how the city relates to the region as an employment center.

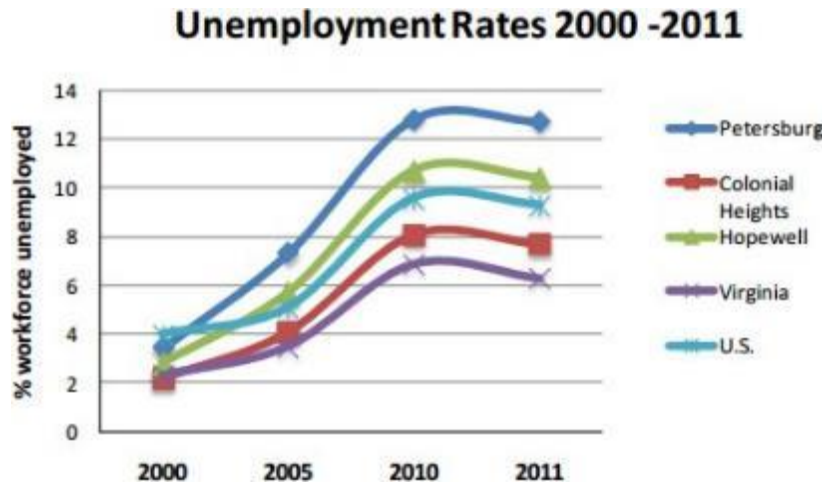


Figure 4-3: Unemployment Rate in Petersburg and in surrounding localities, 2000-2011

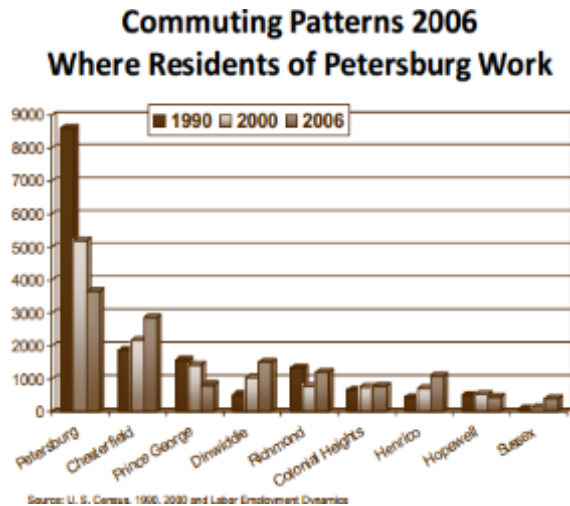


Figure 4-4: Commuting patterns of Petersburg's Citizens, 1990 - 2006

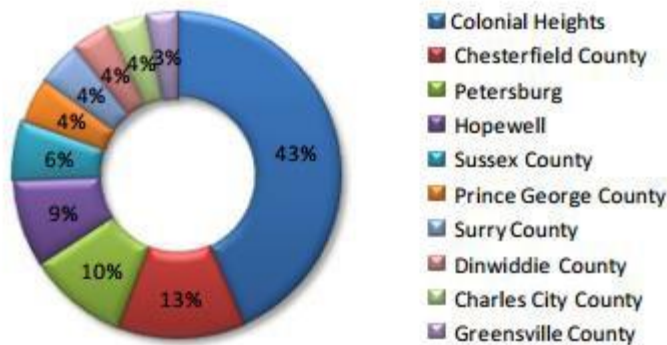
Petersburg, the Employment Center

One way to examine the status of a locality as an employment center in the region is to look at commuting patterns. The City of Petersburg since the 2000 census has become a net Out- Commuting locality, meaning the number of workers traveling into the City for work is now less than the number of residents who commute out of the City. In 1990 to 2000, Petersburg increased its regional pull as a job center. In 1990, about 1,300 more people commuted into the City for work than left each day. By 2000 that number increased to about 2,500 more workers traveling into Petersburg than were leaving. But the most recent census figures for commuting patterns show as of 2006, 2,385 more workers leave the City for work each day than commute into Petersburg. The table shows the changing trend of Petersburg as numbers commuting out of the city have increased since 1990.

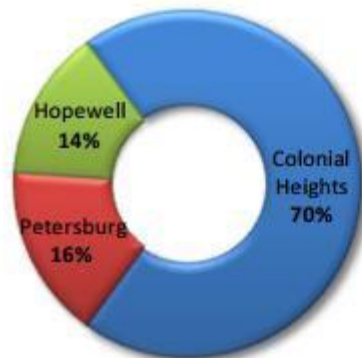
It is also apparent that a large portion of Petersburg's citizens work and live in Petersburg, although this number has been declining. In 1990 about 54% of Petersburg's 16,000-person labor force lived and worked within the City. In 2000 just 40% of the now 13,200-person labor force lived and worked in the City. By 2006 25% of the City's labor force lived and worked in Petersburg. This is a trend which may be explained by both population loss and unemployment.

Petersburg has shown resiliency in retaining its status as an employment center in the region, yet this subject should be of concern to the City as uneven regional growth wears away at the City's economic base. Of principal concern are the extremely unbalanced revenue streams within the Tri-cities as revealed in the adjacent charts, although Petersburg shares the same level of transportation infrastructure, and has a larger population. Colonial Heights has successfully positioned itself as the regions' retail and commercial destination, controlling a staggering 70% of the Tri-cities retail, and 43% of the Crater Planning District's 10 members. The City is actively pursuing commercial retail development for a broader market.

Crater District per capita sales revenue - 2010



Tri-cities per capita sales revenue - 2010



Figures 4.5 & 4.6: Crater District per capita sales revenue (Top) and Tri-Cities per capita sales revenue (Bottom), 2010

Petersburg is an employment center for the surrounding localities, but it is not the destination which attracts the most workers from any one of its neighboring localities. In relative terms, the City must consciously work to gain influence within the region since Petersburg has been outpaced by its neighbors in population and economic growth. Working regionally when it is best suited with economic development efforts and agencies; Petersburg is poised and capable of reversing the recent trends. It can build off the success that it has experienced over the last few years, topped off by the assets, such as the strong presence of the healthcare industry and the decisions of long-term industry and employers who opted to stay in the city.

Petersburg's Largest Employers

The City's large share of employment in the healthcare government/education, manufacturing, and retail industries is reflected in the list of largest employers from 2007 to the same list in 1997 offers insight into the stability of the economic base as well as the emerging trends mentioned earlier.

Southside Regional Medical Center and the complimentary healthcare services, which cluster around its location, is an important base for the economy. Wal-Mart, Food Lion, and McDonald's reflect the lower wage jobs which have increased with the decline of manufacturing.

Manufacturing still has a strong presence with Unitao taking over the facility once owned and operated by B I Chemicals, Roper Brothers Lumber, and Brenco, Inc. Contract services have become increasingly important with Ranstad, Quality Plus Service, and Labor Ready Mid- Atlantic making the list.

Outside of the list of Petersburg's employers it is important to emphasize the importance of regionalism. While these employers are specific to the City limits of Petersburg, they attract workers from the region, and it is equally important for Petersburg to work in a regional capacity to ensure the City's citizens have access and the competitive edge to apply for jobs within the region.

2007	2013
Southside Regional Medical Center	Southside Regional Medical Center
City of Petersburg	City of Petersburg
City of Petersburg School Board	Amsted Rail company Inc. (Brenco, Inc.)
BI Chemicals	City of Petersburg School Board
Brenco Inc.	Horizon Mental Health Management Inc.
Wal-Mart	Wal-Mart
Quality Plus Services	Districts 19 Mental Health Services
Horizon Mental Health Management Inc.	Beverly Home Care
District 19 Mental Health Services	Good Neighbor Homes Inc.
Virginia T S	Virginia Linen Service Inc.
Beverly Home Care	Rehabilitation Hospital Inc.
Randstad	Quality Plus Services
Food Lion	Adult Healthcare Solutions Inc.
Roper brothers Lumber Inc.	Rolls-Royce Cross pointe Operation
McDonald's	Petersburg City Dept of Social Services
Virginia Linen Services Inc.	McDonalds
Temple	Campus Facilities Services LLC.
Petersburg City Dept of Social Services	Martins Food Market
Postal Service	Mdxccl Inc.

Table 4-1: Petersburg's Top Employers ranked by number of employees, 2007 & 2013

Economic development efforts require a multi-faceted approach to best serve the current workforce, train the next generation, and position the City to adapt to regional, national, and international economic trends. Petersburg's economic development efforts are served by a number of partnerships and agencies at the state, regional, and local levels who have the resources to address these areas. Table III-A displays the broad spectrum of services provided by multiple agencies vital to Petersburg's economic development efforts and have an active role in creating partnerships and business friendly environments:

The Petersburg Department of Economic Development is responsible for administering the City's Economic Development activities. In so doing, the Department maintains a listing of industrial sites and facilities for potential employers looking to expand or relocate operations. They also manage the Enterprise Zone in Petersburg, which allows the City to offer state and local incentives to industries which locate new operations to these designated areas. The Industrial Development Authority (IDA) is part of this office. The Economic Development Office seeks to maintain communication with current industries in Petersburg and help with their needs for expansion, recruitment and relocation of associated suppliers to Petersburg.

Economic Development Partners

- **Crater Planning District Commission** is involved with economic development by offering loan packages to companies in Petersburg. The intent is to lessen the financial burden of starting or expanding business in the area. A revolving loan fund has a maximum of \$250,000 in loans and has funded 19 total loans, 16 of



which have been businesses in Petersburg.

Map 4-1: Map of the area comprising the Crater Planning District Commission

- **Virginia's Gateway Region** markets the region and goes after specific industries looking to relocate or expand. Specific to Petersburg, the VGR markets industrial properties, the cultural, commercial and quality life assets, and has sponsored several tours for developers and real estate professionals to showcase redevelopment and commercial opportunities in the region's urban areas. VGR has also partnered with the Cameron Foundation to prepare a plan for the redevelopment of the former Southside Regional Medical Center site.

- **The Petersburg Chamber of Commerce** works to build the business of its members by making referrals and respond to inquiries, by mail or telephone that come in through their website. Members are supported and promoted through advertising, sponsorship, and referrals.
- **The Cameron Foundation** is a not-for-profit organization which provides grant and philanthropic contributions to support programs and activities in the City of Petersburg, Colonial Heights, Hopewell, and the counties of Dinwiddie, Prince George, Sussex and the portion of the county of Chesterfield South of Route 10. The grants are to further education and services in the fields of healthcare, human services, civic affairs, community and economic development, education, conservation and historic preservation, and cultural enrichment.
- **Virginia LISC** arrived in Petersburg in 2005 with the support of the Cameron Foundation. A grass roots organization has been very successful in bridging the gap between local government and local community development corporations. In cooperation with the community, a Strategic Investment Plan in conjuncture with Urban Design Associates was done for several struggling communities in Petersburg. The plan focuses on revitalizing Petersburg's neighborhoods by building quality affordable housing partnering with a non-profit. In addition to jumpstarting revitalization through improving the housing stock, they have provided consultant services to local nonprofit groups (Pathways and Restoration of Petersburg Community Development Corporation) in order to build capacity within Petersburg for a sustained revitalization and redevelopment of neglected neighborhoods.
- **Tourism** introduces Petersburg to visitors from all over the world who are interested in hearing about and seeing the rich, 400-year history of Petersburg. At the City's three museums (Blandford Church & Cemetery, Centre Hill Museum, and the Siege Museum) and the Visitor Centers both in Old Towne Petersburg at the historic, 1817 Farmers Bank and on I-95 at the Carson, Virginia. The Department showcases the unique features and qualities which make Petersburg such a colorful City. The Department promotes both the historical attributes of the City as well as the contemporary features such as dining, shopping, residential, and recreation. The aforementioned all aid in creating a more attractive, livable City.

TABLE III-A

Petersburg & Regional Economic Development Agencies and Efforts	Networking / Business Community	Retain Jobs	Attract Jobs	Educate or Train Workers	Community Revitalization	Marketing the Region	Marketing Existing Sites	Small Business Support	Community Grants
Petersburg Economic Development Office									
Crater Planning District Commission									
Virginia's Gateway Region									
Chamber of Commerce									
Cameron Foundation									
Historic Petersburg Foundation									
Virginia State University									
Crater Regional Workforce Investment Board									
Goodwill Industries Employment Center									
VEC Employment Commission									
Petersburg Area Tourism									
John Tyler Community College									
Virginia LISC									
The Phoenix Project									
Department of Tourism									

Table 4-2: Overview of the responsibilities of various public and private entities in the Petersburg area

Ft. Lee & BRAC**Figure 4-7: An entrance to Fort Lee**

On November 9, 2005, recommendations by the Base Realignment and Closure Commission (BRAC) became law and began a process to relocate seven military functions from five states (including Virginia) to Ft. Lee. This process was completed in 2011. Both military and civilian personnel have relocated to the region, and the City of Petersburg has benefitted by this influx of persons.

Many studies have been undertaken to help the region prepare for the effects of such a large increase in population over a short period of time. The population on Ft. Lee has double from about 16,000 to about 32,000 people. As shown by the graph, the City of Petersburg did not see the population growth as other jurisdictions.

The military and civilian personnel have been located throughout the region while students and trainees were expected primarily to live and work on base. According to the report done for the Crater Planning district by RKG, Inc., the demographic, housing, and economic impacts associated with BRAC has distributed unevenly throughout the region. Chesterfield absorbed the largest percentage of growth. According to the study prepared by RKG, 5.5% of the increase in population from Ft. Lee has come to the city which equates to about 2,500 people. While this may not be a significant number of persons there is still an opportunity for the city to capitalize on this influx of people.

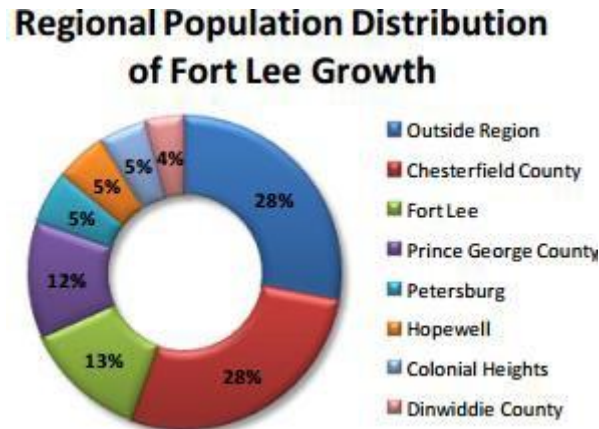


Figure 4-8: The distribution of Fort Lee’s population growth by locality
Ft. Lee and Population Projections

Although Petersburg has experienced a steady loss of population since the 1980’s the population projections provided by the Virginia Employment Commission suggest population loss will begin to level off. Without including the impact of the Ft. Lee expansion on the City, population projections level off around 33,900 by 2040. With as many as 2,500 people that have moved to Petersburg from the Ft. Lee expansion, the City might expect a leveling off of the population even sooner.

Ft. Lee and Education

Ft. Lee expansion is has brought about 1,700 kids to public schools in the region, the bulk of which attends Chesterfield County according to RKG, Petersburg received an additional 175 children, with most of them below high school age. This presented a 3.5% increase in enrollment, which was a manageable and gradual increase, especially considering the overall Petersburg school enrollment has been declining.

Ft. Lee and Housing

BRAC had an impact not just on population projections, but also the size and number of households coming to the region. RKG, Inc. stated an additional 1,800 households have come to the region from the Ft. Lee expansion. Petersburg's share of the housing impact was about an additional 217 households. The size of these households is about 2.8 persons, compared to the 2.38 persons per households in Petersburg. Overall, the impact has increased the number of households who can afford, and who favor, homeownership. The average household that military personnel and contractors can afford is between \$200,000 to \$300,000. While 217 households is a modest number, developments throughout the southern part of the City do create the opportunity to attract more than just families associated with BRAC.



Figure 4-9: 266th Quarter Masters Battalion at Petersburg High School

Ft. Lee and Transportation

The rapid growth of Fort Lee provided an opportunity for Petersburg, but also put new stress on entranceways in and out of the base. It was important that the City address issues of current and projected road capacity that would allow for smooth access between the base and City.

The Fort Lee Expansion Traffic Study proposed a series of road improvements that were made in and around Fort Lee. The project includes;

- Additional lane on Hickory Hill Rd into the base and intersection improvements where Hickory Hill intersects with Rt. 460;
- Modification of the traffic signal at the intersection of County Drive (460) and Courthouse RD (106) and the intersection of Washington Street and Puddledock Road.
- Installation of traffic signals along Baxter Rd at its intersections with Courthouse RD (106) and County Drive (469)



Map 4-2: Hickory Hill Road



Map 4-3: Hickory Hill Road

In addition to road improvements, the City must address corridor issues leading from Fort Lee into Petersburg. Route 36 Corridor that runs through this corridor to Downtown is the primary entrance corridor from the base into the City and is flanked by vacant and low-end commercial strip development, industrial uses, freight rail and a landfill. Attractive way finding signage should direct motorists to available amenities found exclusively in Petersburg.



Figure 4-10: A view of Route 36

Ft. Lee and Employment & The Economy

It was difficult to assess the specific and full impact Ft. Lee's expansion had on the City of Petersburg. Regionally, however, the increase in operations and personnel clearly brought more money to circulate within the economy. The single largest economic impact on the region stems from the salaries and wages paid to Fort Lee personnel, which in FY 2011 were 11,690 employees with employees circulated money in the regional economy enough to support an additional 10,043 jobs. This means a total of 21,733 jobs are supported by the expenditures and output generated by Ft. Lee.

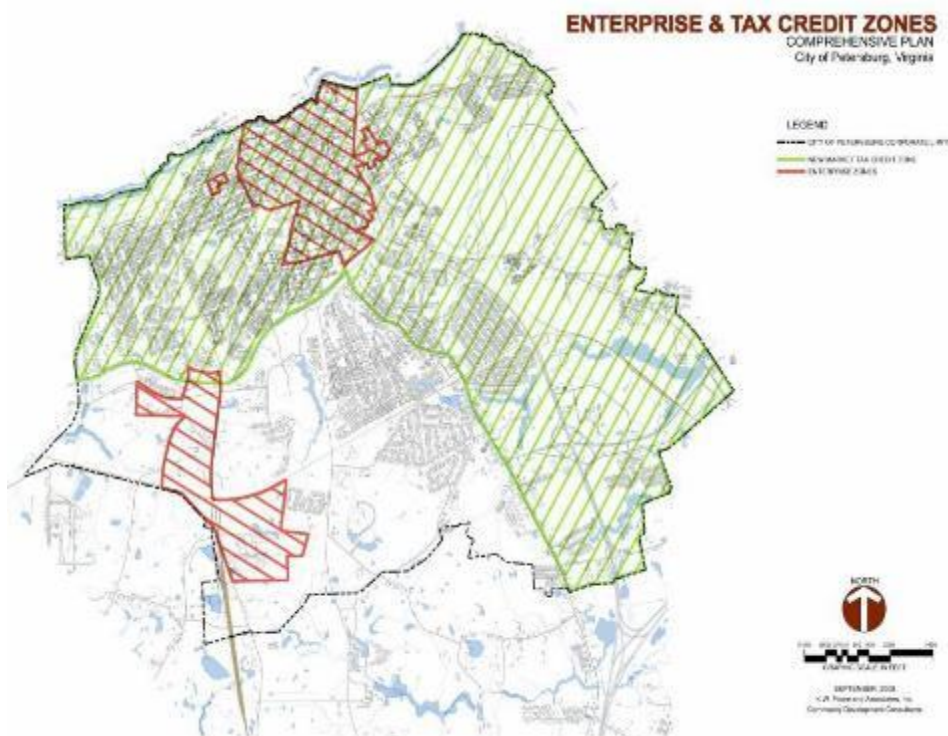
As the table indicates, the 8,400 employees are their associated economic impact support jobs across a wide range of industries. The industries with the most employment created by Ft. Lee demand are the Health & Social Services, Accommodation & Food Services, and Retail Trade Industries. These three have a large presence in the Petersburg economy and suggest there will be local economic benefits

for Petersburg.

As full effects BRAC begin to reverberate through the entire economy, the impacts from the expansion of Ft. Lee will continue to accumulate. Region wide, the Virginia Employment Commission estimates that the direct and indirect benefits on job creation will increase employment levels from the 7,500 jobs supported by Ft. Lee expenditures in 2006 to 14,000. By 2013, combined with the 11,690 of jobs in the region supported by Ft. Lee expenditures, salaries, and wages will total about 25,700 jobs.

Enterprise Zones

The location of the enterprise zone in the City of Petersburg creates incentives for industries and businesses to locate in the City. Specifically, the enterprise zone located in the Central Business District matches local tax breaks with state grants according to number of jobs created or per number of building constructed or rehabilitated. The Enterprise Zone is an incentive actively marketed to prospective businesses.



Map 4-4: Map of Enterprise & Tax Credit Zones in Petersburg

Gateways

First impressions are important. The impressions one receives as they approach and enter a City can impact one's desire to visit or live there. First impressions of a City are experienced when one passes through the gateways that lead into the City. These gateways vary in purpose and importance as they include a broad view of the City as one approaches small orienting entryways into specific areas.

The City of Petersburg must show its vitality and unique features at its gateways. Interstate 95 passes through the City of Petersburg, providing an opportunity for the city to showcase its uniqueness and richness. These gateway enhancements give the City an “edge” that will show Petersburg’s uniqueness and warmth to all those who enter. A “greeting gateway” relays the message that visitors are welcome and are encouraged to find the time to shop, eat, and play. Internally, gateways to specific districts and neighborhoods must be installed to orient visitors and encourage them to explore.

Interstate 95

As it passes through the City of Petersburg, Interstate 95 is the most significant gateway. The interstate is elevated as it passes the heart of Petersburg, and provides views into the City on either side. For travelers headed north, Petersburg is the first urbanized area that is encountered from North Carolina.

The configuration of Interstate 95 as it passes through the City can provide Petersburg with opportunities to attract visitors. Views will be enhanced and seen from the interstate as one will be taken in by the creative use of fencing and lighting. Visitors will feel that they are welcome to this great city and will want to see more.

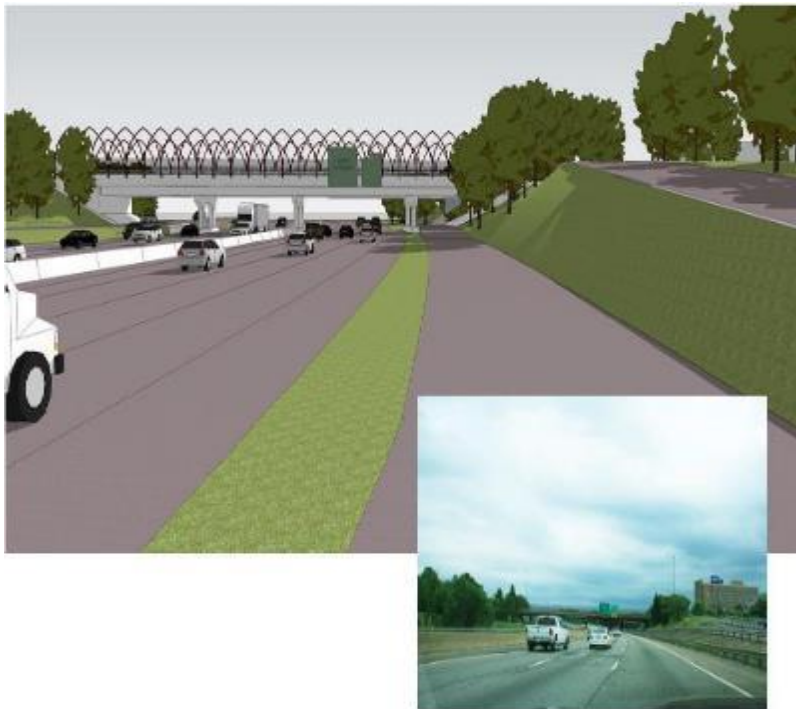


Figure 4-11: Exit 52 Washington Street coming into the City (artist rendering and photographs)

Traveling Interstate 95 there are three (4) Primary gateways introducing and inviting guest to stop. These are Wagner Road, Crater Road, Washington Street and University Boulevard. Currently these gateways provide only a sense of place, not very

hospitable.

Wagner Road, while not a primary gateway leading into the heart of Petersburg, terminates into Crater Road providing comfort needs to those traveling I-95. At this interchange are found gasoline, convenience stores, and restaurants. A Wal-Mart is also available near this interchange. Wagner Road is experiencing interstate oriented development, increasing the volume of visitors passing through this gateway. The City of Petersburg can capitalize on this opportunity to present itself strongly and positively to those passing through.

Crater Road provides access to The Petersburg National Battlefield, which is a destination for thousands annually. Indirectly, Crater Road provides access to downtown Petersburg. This important gateway can be accentuated to welcome visitors to the City and encourage visitors to the battlefield to explore.

Possibly the most important gateway along the I-95 corridor is Washington Street. This is the gateway to the heart of Petersburg, and from this point several destinations are available. Currently, this entrance to the City does not present a welcoming introduction. Visitors are dumped onto a four lane, one way road with little indication that one has arrived in the City of Petersburg. Furthermore, there is a lack of clear way-finding signage to direct visitors to the various destinations.

Washington Street (East)

The Washington Street Corridor is the main east-west corridor that transverses the City of Petersburg. Those traveling from Fort Lee, Hopewell, and areas east of the City will most likely enter Petersburg by way of Washington Street (State Route 36). This gateway has the potential to be a dramatic introduction to the City.

Currently, as one approaches from the east they emerge from a heavily tree-lined corridor into a deteriorating suburban landscape. The juxtaposition of the two scenarios is a clear indicator that you are leaving one locality and entering another, but the gateway is not inviting. Refinement of the landscape as one crosses the City line can provide the most enticing approach into the City. Given the population potential east of the City, this gateway may be important in attracting patrons to local businesses from Fort Lee, Hopewell, and beyond.

Washington Street (West)

The major gateway into Petersburg from Dinwiddie is by way of the west end of Washington Street. Just as it does on the east end, Washington Street changes character as it crosses the border of the City. The width of the road changes from two lanes to four lanes, while the development on either side transitions from a more rural feel to a suburban strip. This gateway, though, is not developed at all as a gateway, and visitors have no sense of place. This entrance to Petersburg is not as significant and widely traveled; it should still offer a welcome to visitors and residents.

Martin Luther King, Jr. Bridge

This gateway has great potential to draw visitors into the City and provides Petersburg an opportunity to really showcase itself. This approach into the City is elevated providing views first of the Appomattox River and then Old Towne. Once in the City, the street becomes Adam Street which provides a central corridor taking visitors to other destinations. Some effort has been invested to refine this entrance into the City through continuation of the street lighting that is incorporated on the bridge into the city and other visual infrastructure improvements. There is still ample opportunity to develop this gateway into a pleasant entrance for residents, visitors, and commuters.



Figure 4-12: Martin Luther King, Jr. Bridge coming from Colonial Heights into the City

I-85 & Squirrel Level Road

The only exit into Petersburg from Interstate 85 is Squirrel Level Road. There is little reason for visitors passing along I-85 to need to use this exit, except for refueling at the gas station at this exit. Any visitor taking this exit would not have any indication of where they are and would most likely return to the highway and continue on.

As this is a possible location for land uses of greater intensity in the future, a coordinated effort must be placed upon this important interchange.

University Boulevard (Formerly Canal Street)

This street name was recently changed to reflect the close proximity to Virginia State University and is highly used by Students and parents coming through the city to gain access to the university. A private development that will be developed on the western side of the street will be a mixed-use development with commercial uses on

the first floor. The City is anticipating a lot more vehicular and pedestrian traffic through this corridor and gateway. The city is currently developing the concept for this neighborhood and as a part of that plan a park is being proposed. Just as one enters the City, University Boulevard intersects at a triangle with Grove Avenue and Canal Street. This triangle offers great potential for development as an introduction into the City. This location is also an excellent starting point to access various parts of the City, including the Old Towne district. The Configuration of the intersections of Fleet Street, Grove Avenue, and University Boulevard offers a great opportunity for a gateway into the City geared towards the Virginia State and Southern Chesterfield population.

University Boulevard is a corridor of interest for redevelopment. The City of Petersburg would like to see this corridor become a more pedestrian friendly environment that accents the waterfront and historic nature of Old Towne. This corridor has been identified as a redevelopment corridor to encourage mixed-use.

An aerial photograph showing the proposed development site. A large, light-colored rectangular area is outlined in red, indicating the planned development. To the left, a road runs parallel to a river. A bridge structure is visible in the background, and a small inset image shows a closer view of the bridge area.

A hand-drawn sketch of a road intersection. A road runs vertically, crossing a creek via a bridge. A car is on the bridge, and a truck is on the road below. To the left of the road is a house and trees. To the right is a fence and a gate. Labels include 'Road', 'Bridge', 'Creek', 'Car', 'Truck', 'House', 'Trees', 'Fence', 'Gate', 'Drainage ditch', 'Grass', 'Roadside', 'Drainage ditch', 'Grass', 'Roadside', 'Drainage ditch', 'Grass', 'Roadside'.

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- **Objective 2:** Continue to promote the Vision of the City. (Short Term: 0-5 Years)
 - **Objective 3:** Create a Vision for the Office of Economic Development. (Short Term: 0-5 Years)
2. **Policy Goal:** Build partnerships with private sector players and community stakeholder groups to capitalize on significant development opportunities.
- **Objective 1:** Continue to work with Virginia's Gateway Region to promote the City's many assets to potential investors. Ongoing
 - **Objective 2:** Continue hosting the Executive Roundtable Discussions; expand to include institutions of higher learning and private schools as well as smaller family-owned businesses. (Short Term: 0-5 Years)
 - **Objective 3:** Continue to build significant partnerships with regional agencies such as the Virginia Gateway Region, Ft. Lee and the Cameron Foundation and City businesses. Ongoing
 - **Objective 4:** Educate City leaders and staff on redevelopment projects eligible for NewMarket Tax Credit. Ongoing
 - **Objective 5:** Leverage CDBG monies and stakeholder efforts in specified revitalization areas. (Short Term: 0-5 Years)
 - **Objective 6:** Creatively capitalize on development opportunities at the old hospital site. (Short Term: 0-5 Years)
3. **Policy Goal III:** Promote the assembly of smaller tracts of land through the IDA to create marketable industrial or technology development sites.
- **Objective 1:** Work closely with the Assessor's Office and the Office of Planning and Community Development to assemble contiguous parcels of underutilized land for large marketable industrial or development sites. (Short Term: 0-5 Years)
4. **Policy Goal:** Consider the benefit of expanding the Enterprise Zones to other districts and areas of the City.
- **Objective 1:** Apply for an expansion of the City's current Enterprise Zone. (Short Term: 0-5 Years)
 - **Objective 2:** Create a Business Improvement District for Downtown (Mid Term: 5-10 Years)

5. **Policy Goal:** Increase revenue by working with the Planning Department to permit nightclubs and recreational uses by-right in the Zoning Ordinance with the appropriate management and safety contingency plans.
- **Objective 1:** promote the Enterprise Zone program. Ongoing
 - **Objective 2:** create special tax districts that incentivize retail establishments in designated areas. (Short Term: 0-5 Years)
 - **Objective 3:** Work closely with Cultural Affairs, Arts and Museum Department to establish a Petersburg annual “Film Festival” and other annual Festivals. (Mid Term: 5-10 Years)
 - **Objective 4:** Reestablish the Petersburg Main Street Program and identify a non-profit to administer the program. (Short Term: 0-5 Years)
 - **Objective 5:** In cooperation with the Department of Planning and Community Development, Department of Public Works and Petersburg Area Transit create a plan for a pedestrian street downtown within the Cultural Arts District. (Short Term: 0-5 Years)

Community Development

There are numerous plans on the shelf of the city all talking about reinvestment and investment opportunities. It is interesting how all of the plans had the same focus areas. As such, this plan highlights the corridors and areas of town that have been identified in the many plans, particularly, the Strategic Investment Plan prepared by LISC and UDA, and the Regional Urban Design Assistance Team (R/UDAT) study. These areas are the focus of the future land use map, as they are identified on the map as corridors where the city seek to encourage development of mixed-use, mixed-income communities.

City-Owned Property

The city has acquired over the years several lots: some are vacant, and others have improvements. The city in cooperation with a real estate team is aggressively marketing these parcels to developers and/or investors. In some cases, it requires the consolidation of one or two lots to build new single-family residential dwellings. In addition, there are a few commercial properties that are owned by the City and currently being marketed. The property is sold for redevelopment and/ or revitalization with a timeframe for development attached to the sale.

University Boulevard/High Street

Principle 1 of the Strategic Investment Plan is to focus on gateways. This is essential in revitalizing the greater Battersea neighborhood. The intersection of University Boulevard (formerly known as Canal Street), High Street, and N. South Street has potential as an important central commercial and retail corner for a) Battersea Neighborhood, b) the revitalized High Street Corridor, and c) Virginia State students.

The High Street/University Boulevard (formerly known as Canal Street)/N. South Street intersection will boast of a mixed-use development with multifamily residential units on the upper floors and commercial tenants on the first floor. This will be another project along this corridor that serves as a catalyst for other revitalization efforts.

Halifax Street Triangle and Community

This commercial district sits around the intersection of Harrison and Sycamore Streets at the southern gateway into the downtown. This commercial district has a unique history as an African American center of commerce and culture. It also sits around a unique triangle shaped street pattern as Halifax runs southwesterly out of the downtown and Harrison runs southerly.

The 2006 redevelopment plan for the Triangle targeted three concurrent efforts that were either in the planning stages or already underway doing that time. Since 2006, this community has seen the construction and completion of the multi-modal transit center. The community is currently being reviewed for inclusion in a state and national historic district. The Petersburg Redevelopment and Housing Authority (PRHA) is currently located in this community. Recent years of decay has left the neighborhood full of many vacant lots and structures.

Ross Court Redevelopment is another example of concentrated redevelopment efforts that aim to improve particular areas in the hopes that it will be a catalyst for reinvestment in the surrounding area.

Addressing Blight

“Blighted area” means any area that endangers the public health, safety or welfare; or any area that is detrimental to the public health, safety, or welfare because of commercial, industrial, or residential structures or improvements are dilapidated, or deteriorated or because such structures or improvements violate minimum health and safety standard. – Virginia Code SS 36-49.1:1

Tackling the obstacle of urban blight in Petersburg is paramount in revitalizing the City. The 2000 Comprehensive Plan recommended neighborhood redevelopment through selective demolition, infill development, and the use of financial incentives. The City is not alone in its determination of blight as a high priority. Strategic partners like the Cameron Foundation and Virginia LISC have brought expertise and capital to bear on revitalization efforts.

In 2007, a Strategic Investment Plan was developed through partnership with Virginia LISC, funded by the Cameron Foundation and studied by Urban Design Associates (UDA). Public support for the UDA plan reflects a demand in the community for active redevelopment. The City has begun addressing blight and revitalization in Petersburg by utilization of the power given by the Code of Virginia to address this issue.

Spot Blight Abatement – The Code of Virginia allows for localities to identify blighted structures and take affirmative steps to bring them up to safe and sanitary standards. The City of Petersburg has updated its Code and ordinances to institute this tool used to empower us and encourage revitalization.

Blighted properties that lie within Historic Districts are reviewed by the City’s Architectural Review Board (ARB) to assure that improvements on the property are in accordance with the architectural character of the district. If the property owner is unwilling to make the appropriate improvements on the structure, the City may acquire the property to make the improvements.

Demolition projects should be the last result in dealing with blight. The goal is to restore the homes to a compliant contributing structure to the neighborhood. In the event where demolition becomes necessary it is the goal of the City to be good stewards and have a strategic approach to demolition. Protecting the City’s Historic communities and structures is a high priority for the City. Once demolished a community loses a piece of its history. The City is interested in preservation and restoration where possible.

Water Quality Improvement through Development and Redevelopment

The effect of land use and development on the quality of local waterways and the potential for water quality improvement through the reduction of existing pollution sources as redevelopment occurs must be addressed through the development review and approval process. This notion is present throughout the Plan; however, specific policy goals and objectives can primarily be found in the Environmental Stewardship Element of the Plan. They will also be addressed in the Future Land Use Plan when it becomes available.

The Chesapeake Bay Preservation Act regulations require comprehensive plans to consider existing and proposed land uses adjacent to the shoreline to identify and analyze how land uses may conflict with water quality goals and how those conflicts might be ameliorated, if not eradicated altogether through the application of best management practices, low impact development techniques, use of innovative zoning tools, or the application of up-to-date environmental standards as redevelopment occurs. Activities conducted on both the land and water may impact water resource utilization and quality by contributing increased nutrients, sediment, and pesticides resulting from increased stormwater volume and velocity or stream bank erosion. In developing areas, land and water uses may conflict with sensitive natural resources,

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which can be managed by incorporating environmental standards into land use regulations, such as the minimization of land disturbance and impervious surfaces, and the preservation of existing vegetation. Waterfront redevelopment can also utilize various innovative zoning techniques, such as clustered or low impact development practices or transfer of development rights to reduce water quality impacts and to potentially reduce development costs.

Stormwater also impacts local water quality when runoff from impervious surfaces transports nutrients, pollutants, and toxic substances into local waterways. Areas of the City that developed prior to the CBPA Ordinance may not have included stormwater runoff measures due to their age. Redevelopment of those areas will require compliance with current environmental regulations such as the City's Chesapeake Bay Preservation program, stormwater best management practices (BMP's), compliance with erosion and sediment control practices, implementation of shoreline restoration activities, implementation of pervious area and open space provisions, and, if necessary, connection to public sewer. It is through the implementation of these and other practices that water quality can be improved as vacant land within the City is developed and as redevelopment of existing land uses occurs over time.

Community Development Issues

- Vibrant/alternative land uses are needed at Gateways and main neighborhood entrance corridors to improve the city's image.
 - Land Use and zoning are inconsistent in certain areas of the city.
 - Contiguous parcels are not readily available for redevelopment and investment in new/renovated housing.
1. **Policy Goal I:** Promote redevelopment of gateway corridors to have a vibrant mixed-use component serving residents as well as visitors to Petersburg's Old Town, tourist attractions, and Ft. Lee.
 - **Objective:** Include in the Zoning Ordinance overlay district guidelines permitted by Code of Virginia, for the Route 36 Corridor, West Washington Street Corridor, University Boulevard Corridor, Commerce Street Corridor and Gateways. (Short Term: 0-5 Years)
 2. **Policy Goal II:** Promote redevelopment of blighted areas comprehensively through both the Petersburg Housing Authority and the Industrial Development Authority.
 - **Objective 1:** Overhaul the zoning ordinance to coincide with the Land Use Plan and allow for by-right mixed-use developments on an urban/pedestrian scale incorporating transit oriented and new urbanism principles and design standards. (Short Term: 0-5 Years)
 - **Objective 2:** Incorporate the urban design elements of the R/UDAT Plan into the city's zoning ordinance. (Short Term: 0-5 Years)
 - **Objective 3:** Coordinate with public works infrastructure and utility improvements based on revitalization and redevelopment initiatives. (Short Term: 0-5 Years)
 - **Objective 4:** Continue to utilize resources within a land use and transportation framework that creates collaboration between City departments and primary stakeholders. (Short Term: 0-5 Years)
 3. **Policy Goal III:** Protect and improve water quality
 - **Objective 1:** Consider impacts to water quality caused by private and public development decisions. Ongoing
 - **Objective 2:** Ensure compliance with the Stormwater, Erosion and Sediment Control, and Chesapeake Bay Preservation ordinances for all development and redevelopment projects. Ongoing
 - **Objective 3:** Continue to work with the state to register existing and proposed underground storage tanks and identify leaking tanks through the building permit

process. Ongoing

- **Objective 4:** Monitor the location and effectiveness of stormwater Best Management Practices (BMPs) through the development and maintenance of an inventory and database of BMPs. Ongoing
- **Objective 5:** Consider establishing pocket parks on vacant lots to include BMPs and improve water quality. (Short Term: 0-5 Years)
- **Objective 6:** Amend the Comprehensive Plan to include further analysis of land use and water quality goal conflicts. (Short Term: 0-5 Years)
- **Objective 7:** Following an analysis, develop strategies to ameliorate and eradicate land use and water quality goal conflicts using Best Management Practices and Low Impact Development techniques. (Short Term: 0-5 Years)
- **Objective 8:** Minimize land disturbance and the increase of impervious surfaces in the development review and approval process. Ongoing
- **Objective 9:** Preserve existing vegetation in the development review and approval process. Ongoing
- **Objective 10:** Promote cluster and low impact development along waterfront areas in the development review and approval process. Ongoing

Housing

Housing affects the quality-of-life of a community. It is a basic human need as well as an indicator of economic vitality. Affordable, attractive housing retains residents and supports an environment for growth and stability. Diversity in the housing supply supports people in all stages of life. The private sector provides most of the housing within the City; yet, it is important for the City to inventory the condition of its housing supply and take appropriate measures to promote a healthy housing mix. This healthy housing mix is the catalyst to maintaining stable neighborhoods and support economic development. Petersburg is striving to overcome the challenges associated with its aging housing stock in order to provide vibrant neighborhoods, attract a diverse sustainable population which will include people of all ages, incomes, backgrounds and lifestyles.



Figures 4-16 & 4-17: Housing in Petersburg

The City has work to do to revitalize some of its neighborhoods. While its neighbors have had an increase in housing, Petersburg has experienced a decline in the total number of housing units. This implies the amount of new construction citywide has been below replacement rate of demolition or conversion of housing to other uses. In older parts of the City, vacant housing is a problem – threatening to shrink the housing stock further.



Figures 4-18 & 4-19: Housing In Petersburg

Currently Petersburg has neighborhoods which reflect the disparity of wealth within its borders. Restored neighborhoods and well-kept houses stand in stark contrast to some of the dilapidated housing which was at one time an asset to the City. The ability of the City to improve neighborhoods with public money is limited, but the city has retained vacant lots and houses over the years. The City has been working to sell these lots and houses to private entities for redevelopment and to add them back to the tax rolls. However, the lots that are still in the control of the City may allow the city to be able to leverage the property with developers and non-profit housing

partners, and to spark revitalization and change in these neighborhoods.

Several neighborhoods have been the subject of community plans such as Eastgate (a neighborhood plan for a portion of the eastern communities of the city), Pocahontas Island, University Boulevard (formerly known as Canal and Fleet Street), Battersea and the Halifax corridor. All these plans recognize the aging housing stock or the vacant lots in the respective wards and encouraged infilled development.

There are areas where there are contiguous lots that can be assembled to develop a small-scale subdivision of single-family residences. Residents need economic opportunity and mixed income neighborhoods to encourage investment and stabilization of deteriorating areas. Having affordable, safe, and attractive housing is a critical building block toward a better economy. The City is mindful that the time is now to promote, market, and attract private developers to take advantage of this opportunity, which will influence, improving the local economy and institutions. Furthermore, this is also a great time for residents to participate in these restoration and revitalization efforts and help create a sense of place.

Housing Vacancies

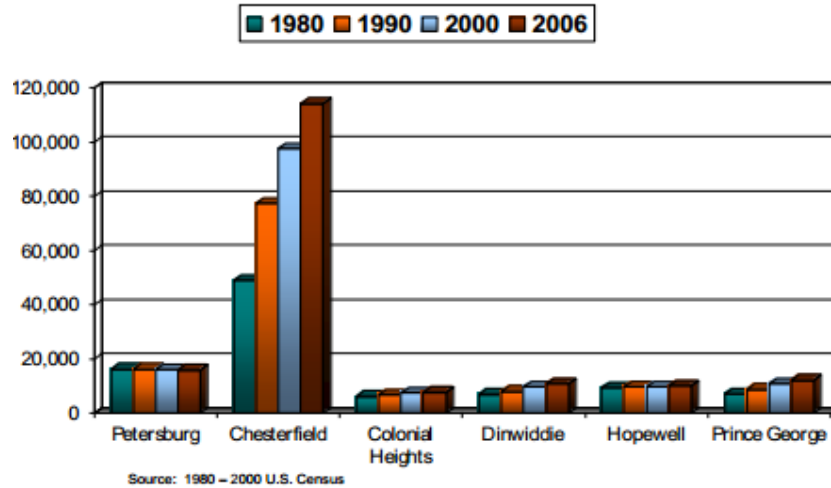
The sprawling pattern of growth has left a concentration of vacant housing in neighborhoods north of Interstate 85. Between 1980 and 2006 Petersburg's housing stock remained unchanged, while its regional neighbors had grown. The outward growth from Petersburg since the 1960's has had negative consequences for the City. While population losses were temporarily reversed with the 1972 annexation of land from Dinwiddie and Prince George Counties, the neighborhoods in the oldest parts of the City continued to decline.

Petersburg has the largest share of vacant housing in the region, with 16% of units vacant according to the 2010 U.S. Census.

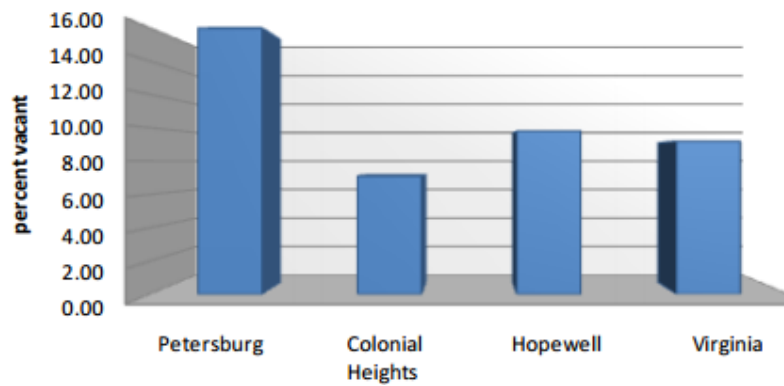
If public investment is to be more than a temporary patch on deteriorating conditions, it must attract and support private investment as well. Investment in housing must be strategic and combined with infrastructure improvements if it is to compete with the suburban growth that has a hollowing out effect on City neighborhoods. There are still neighborhoods with signs of life which should not be taken for granted. Some have residents who focus on these areas and the neighborhoods that border them.

Efforts by private investors and foundations need the City as a strategic partner. Investing in the hot spots downtown and in older neighborhoods can strengthen private sector investment and encourage it to spread outward from the nodes of activity that exist. Seeds of revitalization can grow and gain momentum. Public comments have stressed the desire to see the city invest in areas around revitalization; thereby strengthening already revitalized and stable neighborhoods and building on the momentum they have started. The decision makers have strategically prioritized areas that redevelopment traffic should be driven to have a greater impact on declining communities.

Regional change in housing units 1980-2006



Tri-City Area Housing Vacancy Rates 2010

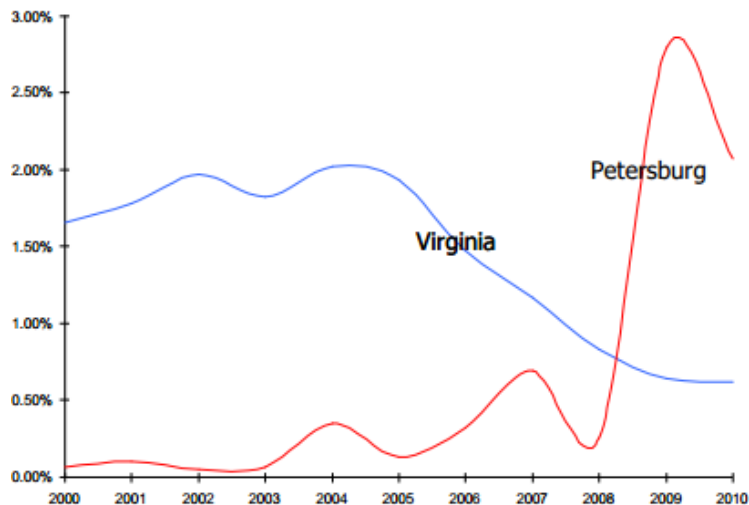


Figures 4-20 & 4-21: Change in Housing Units in Petersburg and other localities, 1980 – 2006 (Top) and housing vacancy rates in 2010 (Bottom)

Housing growth from 2000-2010

Housing permits fell sharply from 2006 to 2009 in the state overall. In Petersburg, however, the percentage of new housing permits compared to existing stock increased dramatically over the same period. The national housing collapse had a major impact on new construction development it's interesting to note that in the City of Petersburg it affected new construction of single-family residentialdwelling units but had no impact on multifamily residential units. In fact, the City of Petersburg experienced major multifamily development during the years of 2006-2013. The demands of the Fort Lee expansion had a greater local impact and contributed to the overall increase in new units, while housing markets in the rest of the State were in decline. New units have been created primarily throughthe adaptive reuse of industrial buildings. This

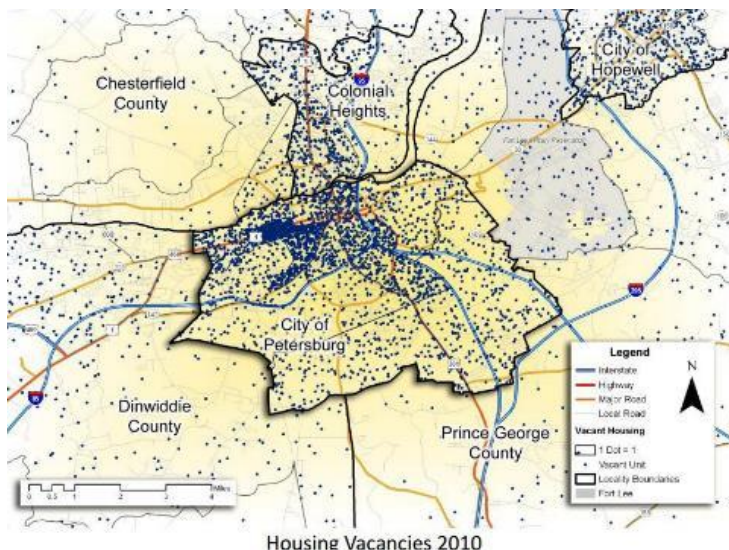
New Housing Units as a % of Total Housing



Source: 2010 U. S. Census

data suggests that the City seems to be attracting more renters and singles/young couples than families.

Figure 4-22: New Housing Units as a % of Total Housing (Top) Map 4-5: Housing Vacancies 2010 (Bottom)



Age of Housing Stock

The age of housing in a City is an important characteristic in understanding how to promote neighborhood stability. Lack of new housing with significant amounts of older housing suggests the need for the city to invest in the revitalization of its housing stock to support economic vitality. Figure 2.3 shows the majority of housing was built between 1950 and 1980. Figure 2.4 shows how housing growth in Petersburg dropped off by 1980, reflecting the sprawling growth that has made its way into Colonial Heights, Prince George, and Dinwiddie Counties.

Addressing housing issues is part of a comprehensive need to address the socioeconomic challenges facing the City. To bring residents back to the City and retain those still here, housing must be safe, affordable, and attractive. The condition of the housing in several neighborhoods in the city is inextricably linked to the number of vacancies and the decline in population that has happened in recent years.

The City can capitalize on its unique, varied in style, older, housing stock. Older housing is attractive to some and may win over new lower quality housing in the suburbs, but the city must use it as a marketing edge to attract the individuals who would want to take on the renovation project or be a part of the revitalization efforts. Renovation of industrial buildings into lofts and restoration of Victorian style homes found in the Historic District also attract a varied demographic, which is just as important for the economy as retaining current residents and catering to families. There are amenities offered in newer homes that are nonexistent in an older urban home. However, outward growth of new housing to other localities need not be a recipe for sustained population loss in Petersburg's historic neighborhoods. The strategy for sustaining the City's older neighborhoods must have a methodology of beginning with one house at a time but the goal is to improve the overall condition of the neighborhoods. This will require identifying resources to impact the entire neighborhood and not just randomly doing a house here and there.

The age of the housing stock reflects the pattern of growth in Petersburg and the surrounding region. As is apparent in the graph pre-1940, the pattern of growth was clustered around existing transportation routes, namely the Appomattox River, rail roads and state roads. The post-World War II era saw an explosion of housing growth in Petersburg, but also throughout the region, especially in Colonial Heights and the City of Hopewell. Since 1980, as regional growth has leveled off, growth has been sporadic in Petersburg. The City has seen growth recently happening around the new hospital site on South Crater Road, the downtown area and south of 95. The progression of growth on the following three maps demonstrates where housing growth in the City was greatest in the 1950 up until 1980 and has since spread out and leveled off. With the economic development strategy and the new direction of the policy makers, the expectation is that Petersburg will begin to experience growth and be prepared for it.

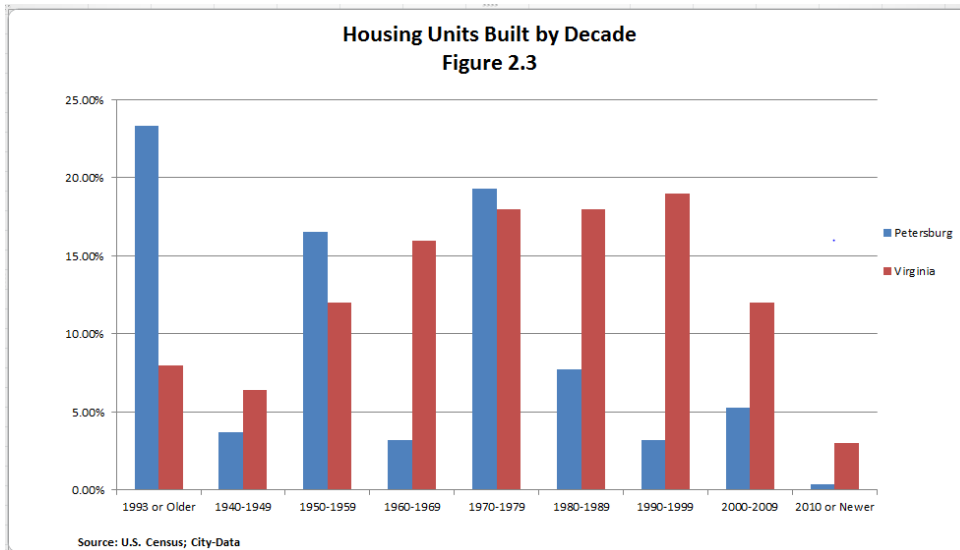
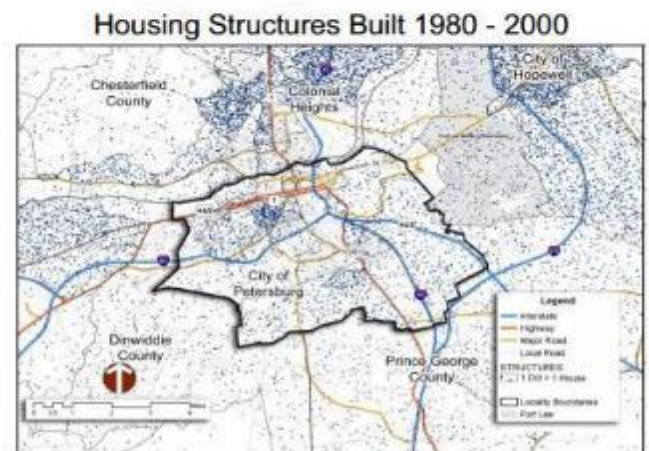
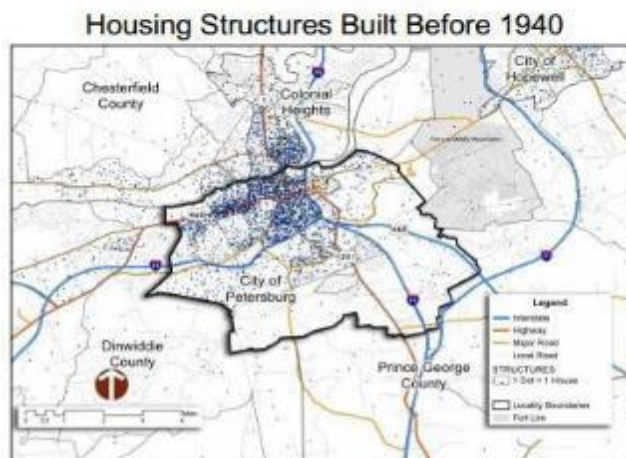
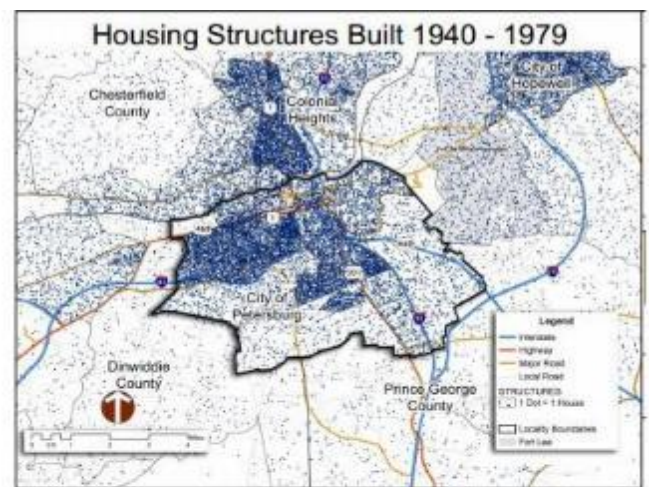
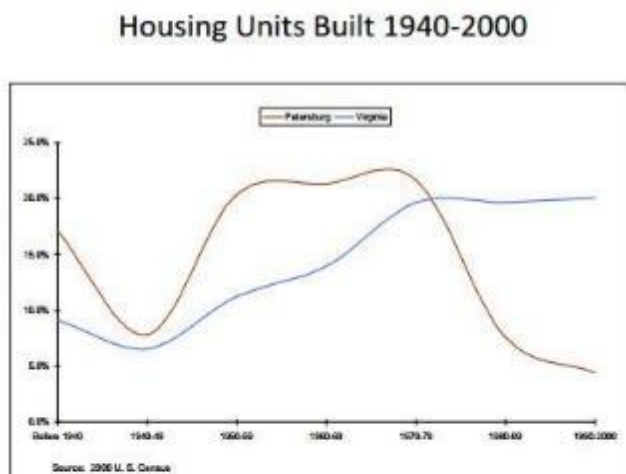


Figure 4-23: Housing Units Built by Decade, comparison between Petersburg & Virginia



Clockwise Order: Figure 4-24: Housing Units built in Petersburg vs. Virginia - Maps 4-6, 4-7, 4-8, Housing Structures built in the Petersburg area, 1940-1979, before 1940, 1980 - 2000

Occupancy and Housing Diversity

The United States has a high homeownership rate due to federal policies which have supported homeownership and single-family home construction. In suburban and urban areas this has resulted in housing authorities promoting single family affordable housing. Multi-family housing, while a form of affordable housing is usually characteristic of urban neighborhoods and urbanizing areas. With national homeownership rates at 67%, high percentage of multi-family units in urban areas often appear out of step with the rest of the nation.

Homeownership rates in Petersburg are relatively low in comparison with the surrounding area and the statewide rate of 67.2%. When compared to the more suburban jurisdictions in the region, as well as the state, the three cities of Colonial Heights, Hopewell, and Petersburg have lower homeownership rates in the region. While these statistics suggest Petersburg does not match up with national and state trends, this is not necessarily cause for alarm. Homeownership is important for stable neighborhoods, and there are areas of the City which can cater to families desiring single family homeownership. But as discussed earlier, Petersburg as an urban center can appeal to homeownership in the form of multi-family units (duplexes, condos, etc.), as well as providing the market for multi-unit housing. Housing diversity is an asset for urban areas, and a policy Petersburg should encourage if it is to encourage growth and revitalization in all of its diverse neighborhoods.



Figure 4-25: Perry Street Lofts



Figure 4-26: Van Buren Estates

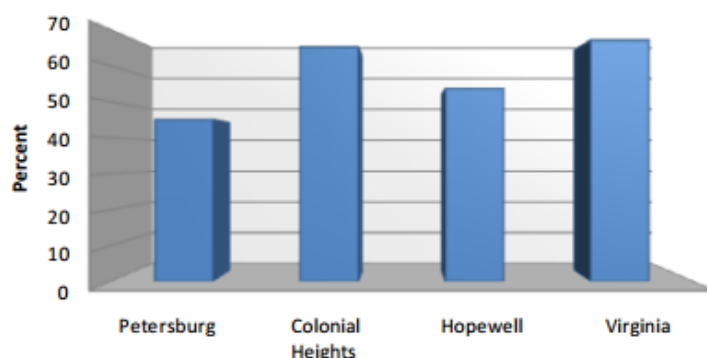


Figure 4-27: Dunlop Street

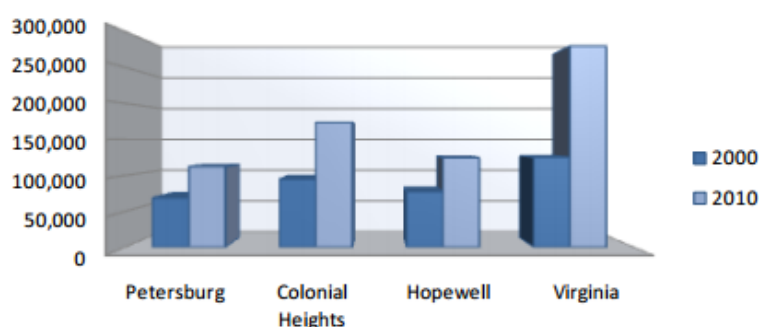


Figure 4-28: Multifamily Apartments

Tri-Cities Home Ownership Rate 2010



Tri-Cities Median Household Value - 2000 and 2010



Figures 4-29 & 4-30: Tri-Cities Home Ownership Rate in 2010 (Top) and Tri-Cities Median Household Value, 2000 and 2010 (Bottom)

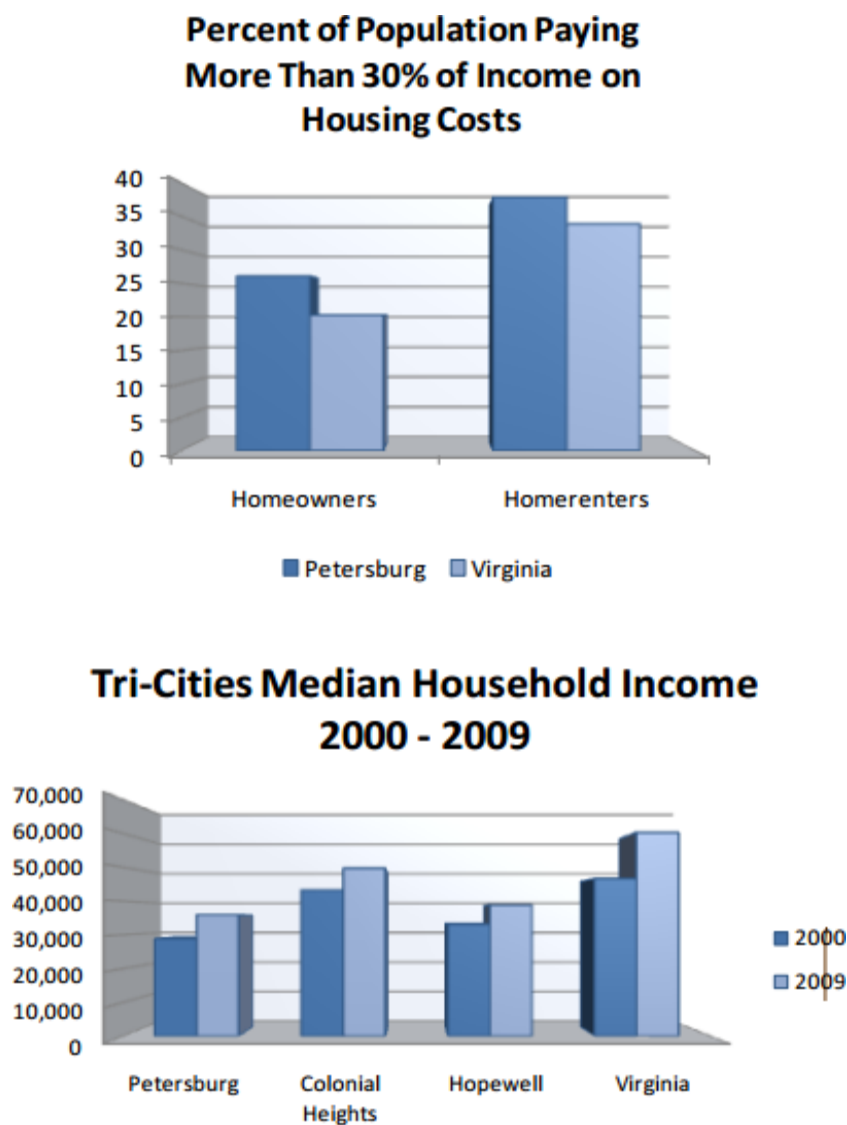
Housing Affordability & Housing Costs Burden

In addition to the age of housing, housing diversity and the overall quality-of-life the affordability of housing is important to the economic vitality of Petersburg. A relatively easy way to gauge affordability is to compare the change in median housing value from the 2000 Census and 2009 estimates with the change in the median household income over the same time period. Recent data shows how household incomes have increased during the 2000s. While the City's 24% increase in household income was the highest in the Tri-cities, the change in household value during that same period was much greater at 64%. This means for residents living and working in Petersburg, owner occupied housing, like that of renting became much less affordable. In order to address this deficiency and reduce the housing cost burden, the City has focused on supplying high quality rental housing option in an effort to reduce the cost burden.

An immediate concern is to address the fact that Petersburg has the lowest median household income in the Tri-cities area, and the State. The plan is to balance its

communities with mixed-use, mixed incomes as well as newly constructed or rehabilitated single-family residential uses and multifamily residential options. Old Town and pockets of older neighborhoods have had visible success with revitalization efforts. Population growth from BRAC and Fort Lee could continue to be the driving force behind the momentum that is turning the trends in an upward direction. Although the City’s aging housing stock is a major challenge ahead, the plan outlines strategies that allows Petersburg’s citizens and government to take advantage of the opportunities available to the locality.

Figures 4-31 & 4-32: Percent of population paying more than 30% of income on housing costs, differentiating between the population of Petersburg and that of Virginia, and between homeowners and homerenters (Top), Tri-Cities median household income, 2000-2009 (Bottom)



Community/Residential Neighborhood Development

Stainback/West Street

The Stainback/West Street Neighborhood is another example of a community where reinvestment should occur. There is evidence of minor restoration, but nothing that impacts the neighborhood as a whole. This is also a community with incompatible land uses and this will be addressed in the future land use map as the City establishes the appropriate land use designation for the different areas of the city.

Rome Street, Westview and Birdville

A community located west of downtown which offers a variety of housing types while enjoying close proximity to a large park. Unfortunately, use of the park is not maximized and it is a great amenity. Vacant lots are prevalent in this community and understanding the current fabric will aid in the renovation projects.

Possible funding sources for neighborhood redevelopment are Community Development Block Grants, which provide annual funds to Cities like Petersburg for the revitalizing of neighborhoods. Eligible activities include acquisition of real property; relocation and demolition; and rehabilitation of residential structures.

Pocahontas Island

The Pocahontas Island neighborhood is rich in history but has faced many challenges over the years. Hit by two major storms that destroyed half of the houses make this a prime location for redevelopment. Most of the parcels in the neighborhood are zoned for single family residential development. The community is bordered by the Appomattox River to the south, the Diversion Channel to the north, and the I-95 Interstate highway to the east which make it highly visible. The City's goal is to encourage private investment on the island to provide infill housing development and commercial and recreational uses along the river. It is the goal of the city to preserve the integrity of the historic neighborhood when considering proposals for development of large vacant parcels of property that were previously industrial uses. Future plans will capitalize on the rich heritage and history of the island and connect the cultural resources to the Appomattox River Trail system that is continuing to develop.

The Jarratt House, the only surviving brick structure in the neighborhood and it is one of the city's cultural resources. Since it is situated along the Appomattox River, Pocahontas features a large array of riparian areas and wildlife. Development Plans will include riparian buffers and strategies to enhance water quality, as well as ensuring compliance with environmental laws and regulations through the development review process.

Housing Issues

- Older city neighborhoods have a concentration of deteriorating, vacant, and blighted

housing.

- Renovated or new affordable, safe housing is in short supply.
- Homeownership rates are low.
- Renters currently have greater Housing Cost burden than homeowners.
- The City of Petersburg owns a lot of property that is currently vacant land. Reinvestment in housing is not targeted or done at a scale large enough to impact the neighborhoods in decline.
- Historic Districts have a high concentration of blighted and unkept properties.
- Historic Property Owners doing work without the appropriate approvals.

Housing Policies

1. **Policy Goal I:** Encourage the renovation or new construction of housing in older neighborhoods in a manner which provides a critical mass to investment and revitalization efforts.
 - **Objective 1:** Partner with the PRHA or a non-profit CDC to aggressively target priority revitalization and redevelopment efforts. “Housing Cost Burden” is a standard HUD formula that calculates household income to housing costs. Generally, households who are paying greater than 30% of their income on housing are seen as “burdened” by those costs. (Short Term: 0-5 Years)
2. **Policy Goal II:** Act as an equal partner in public/private ventures to revitalize historic, older and downtown neighborhoods and improve the housing stock.
 - **Objective 1:** Review and identify city-owned properties for redevelopment opportunities in partnership with nonprofit housing agencies and developers. (Short Term: 0-5 Years)
 - **Objective 2:** Prioritize infrastructure improvements and CDBG funds to maximize the impact of redevelopment efforts with non-profit housing partners and developers. (Short Term: 0-5 Years)
 - **Objective 3:** Utilize local community plans, such as the Battersea Quality of Life Plan, as a guide for City revitalization in neighborhoods identified in the future land use plan. (Short Term: 0-5 Years)
3. **Policy Goal III:** Promote a variety of affordable housing types to meet the needs of owners and renters of varying levels of income through partnerships with nonprofits and developers.
 - **Objective 1:** Prioritize revitalization activities and efforts according to the Comprehensive Plan. Ongoing

- **Objective 2:** Update and take to Planning Commission and Council for action a revised zoning ordinance which includes policies toward allowing for diversity in neighborhood, design standards and varied housing types, and increased densities. Ongoing
4. **Policy Goal IV:** Continue to do an inventory in all the Historic Districts to understand where the most critical need exists.
- **Objective 1:** Procure the services of Preservation Virginia to complete an inventory for two of the other historic districts. (Short Term: 0-5 Years)
 - **Objective 2:** Create and promote a Land Trust program in the City of Petersburg, collaborating with the Cameron Foundation and local banks, similar to the program operated by LISC in Detroit. (Short Term: 0-5 Years)
 - **Objective 3:** Continue to seek out educational and financing opportunities for residents owning homes in a historic district or potential homeowners in a historic district. Ongoing

Education

A healthy city has a good school system where children are educated to be competitive and well versed in science, reading and mathematics, professional fields where higher wages are earned. This can be a great tool for attracting and maintaining families in the community. Often the school system is the reason people move to a particular location. Post-secondary education opportunities are equally important to the economy for training an educated and competitive workforce. The long-term benefits of a good school system and well-educated work force make education an investment all localities must afford. However, the City must continue to support and collaborate with the school system to maintain families and school age children in its communities.

The reduction in school aged children does not necessitate a definite cause for alarm as the quantity of children in the system rarely correlates to educational or neighborhood quality. Reduced family size as well as a diverse population can be framed as additional resources and smaller class sizes.

The Petersburg City Public School System is committed to providing a quality education to all students. The division will provide experiences for students to become life-long learners and contributing members in a global society. Petersburg City School Board hired Dr. Joseph C. Melvin to begin as the new superintendent of Petersburg City Schools on January 2, 2013.

Enrollment

The total enrollment of Petersburg City Public Schools (PCPS) for the 2012-13 school year is 4,434 students which is indicative of a decline from 2011-12 of 101 students (4,535).

The Petersburg City Public School System is comprised of seven (7) comprehensive schools, one (1) alternative school and one (1) early childhood center

Petersburg School Enrollment Levels 2011-2013

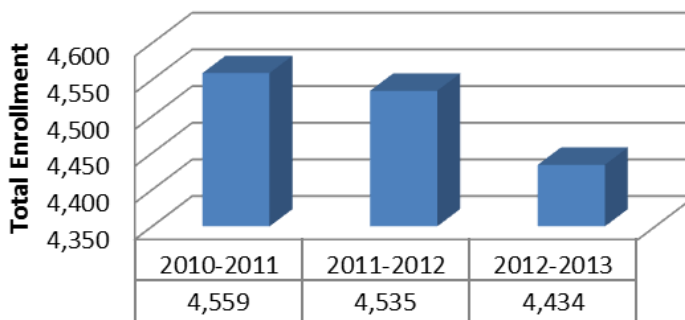


Figure 4-33: Petersburg School Enrollment Levels, 2011-2013 Source: VDOE Report Cards 2013

Elementary Education

There are four (4) comprehensive K-5 elementary schools consisting of Lakemont Elementary, Cool Springs Elementary and Pleasants Lane Elementary, and Walnut Hill Elementary School. The division also provides services for three- and four-year-old students at the Westview Early Childhood Education Center. Schools utilize a variety of educational practices and strategies to put forth instruction to develop the 21st Century learner. The Response to Intervention (RTI) model allows for the individualization of instruction for the students of Petersburg. Year-round schooling has been implemented in one (1) of the four elementary schools to guarantee success of these students.

Secondary Education

The Petersburg City Public Schools (PCPS) system has both successes and challenges on the horizon. As the graph on the top of the page indicates, the declining population is reflected in the declining enrollment levels in the public school system. Declining enrollment allows reductions in staffing which opens up funds for other programs, and it enables the school system to maintain low student teacher ratios. But the real problem has to do with limited financial resources and the educational results associated with declining population.

There are three (3) comprehensive secondary schools which consist of Peabody Middle School, Vernon Johns Junior High School, and Petersburg High School. The division also affords non-traditional learning opportunities to students at the secondary level at Blandford Academy. One of the middle schools is currently operating on a year-round basis to guarantee success at this level for Petersburg's students.

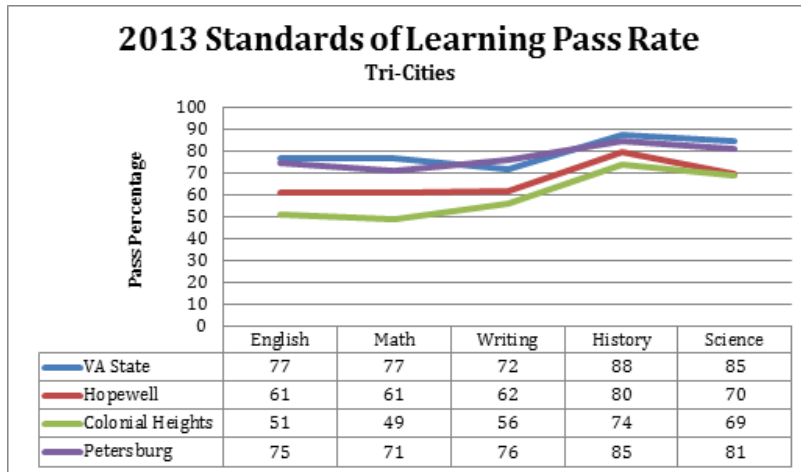
Schools utilize a variety of educational practices and strategies to put forth instruction to develop the 21st Century learner. Opportunities are afforded to the City's secondary students that include, but are not limited, to the following: Dual Enrollment opportunities with various universities and colleges in the tri-cities area, Middle College High School Program at Richard Bland College that allows students to graduate from high school with an Associate Degree, and a Career and Technical Education (CTE) program that results in the acquisition of industry certification in Business and Information Technology, Family and Consumer Sciences, Health and Medical Sciences, Marketing, Technology Education, and Trade and Industrial Education.

Students at the secondary level also have the opportunity to apply for acceptance into the Regional Governor's Schools Programs for grade 9-12. These programs include Appomattox Regional Governor's School for the Arts and Maggie L. Walker Governor's School for Governor's School for Government & International Studies.

Currently all of Petersburg public schools are accredited with the exception of A.P. Hill Elementary School and Peabody Middle School. The school has made progress, but the subject of math and science has been not only a challenge for Peabody and A.P. Hill, but throughout the State. The Petersburg Public School system remains committed to helping every student reach their full potential and set a goal to have one-hundred

percent accreditation in the near future.

As a city of regional importance, Petersburg is fortunate to be home to the Appomattox River Governor's School which serves fourteen school districts in Central and Southern Virginia. The school hosts 330 students from grades 9 through 12 and offers them diverse opportunities ranging from acting to literary arts, and computer programming to ballet.



**Figure 4-34: 2013
Standards of Learning
Pass Rate in Tri-Cities
Area**

*Source: VDOE Report
Cards 2013*

Petersburg Public Schools held a School Division Efficiency Review In the fall of 2006, where a six- member team of consultants conducted an efficiency study of the school division. The efficiency review produced findings in all eight operational areas which resulted in 98 individual recommendations, 55 of which had a fiscal impact. The following areas were successfully addressed by the school division: Division Organizational Administration, Financial Management, Personnel and Human Resources, Cost of Instructional Services Delivery, Transportation, Technology, Facilities and Food Services. PCPS was required to implement 50% of the savings within 24 months of the end of the study. By 2009, the division had fully or partially implemented 92% of the recommendations put forth by the six-member team of consultants.

To date, the remaining recommendations are either in process or have been realigned to provide greater results.

Education & Economic Development

The presence of higher education institutions in a community are an opportunity to build partnerships for economic development. In addition to being a resource for job training, community initiatives, volunteers, and internships, colleges, and universities can provide strong support for the local market. Virginia State University, Richard Bland

College and John Tyler Community College are relatively untapped resources for the City of Petersburg. Engaging these Universities to identify areas where the City and Institution can work together will open doors for redevelopment efforts and attracting companies who can benefit from this skilled and trained population of graduates.

Capital Improvements

There have been additions to Lakemont Elementary, Cool Springs Elementary and Pleasants Lane Elementary schools within the last four years. Additions to the elementary schools have resulted in increased classroom space for core classes, fine arts, and physical fitness. Construction is currently underway at Walnut Hill Elementary School. Once the addition at Walnut Hill Elementary School is complete, all elementary schools within the division will be equipped with gymnasiums for physical fitness and extracurricular events. During the summer of 2011, a new Operations Center was opened for the School Nutrition, Transportation, and Warehouse Departments. The new center allows for the Department of Operations to operate in one location versus multiple locations through-out the city. The Petersburg Public School teams up with the City of Petersburg and together create the program for capital projects.



Figure 4-35: Petersburg High School Graduating Class of 2014

Post-Secondary Education

The City of Petersburg has three institutions of higher learning in its immediate vicinity:



Virginia State University is a four-year university with graduate and undergraduate degree offerings including Agriculture, Business, Engineering, Science & Technology, and Liberal Arts.



Richard Bland College is a two-year, State supported branch of the College of William and Mary. It offers liberal arts and science programs for associate's degrees. Students are able to transfer to four year institutions as juniors or go directly into the workforce.



John Tyler Community College is a two-year State supported community college with campuses in Richmond and Petersburg, as well as distance learning services. It offers associates degrees and practical skills, so students may go directly into the work force or transfer into a four-year college.

Education Issues

- Some Petersburg public schools are not accredited.
1. **Policy Goal:** Improve the school system to have all Petersburg public schools accredited.
 - **Objective 1:** Continue to work with the State Department of Education and other educational entities to improve schools. Ongoing
 - **Objective 2:** Support the development and maintenance of facilities necessary to support high level instruction. (Short Term: 0-5 Years)
 - **Objective 3:** Identify opportunities for collaborative use of City and School facilities to meet the educational needs of students. Ongoing

Public Services

Petersburg Public Library

The City's Public Library System is here to serve the community of Petersburg. The library strives to provide all of the resources needed to progress in life. A wide range of services are offered to the residents of Petersburg.

Services Offered:

- Computer Training Courses
- Meeting Rooms available for study groups or meetings.
- Research Room
- Copiers and Microfilms
- Interlibrary Loans
- Health Resource Center
- Financial Management and Resource Center
- Children and adult services

The 42,000 square foot, two-story building lies in the heart of downtown Petersburg, on the corner of Market and Washington Streets. Sustainable design practices include 28% energy reduction, natural daylight, 40% water reduction and use of low emitting and sustainable materials. Natural materials such as wood, brick and stone, while sustainable, also complement the rich building fabric of Petersburg. The landscaping and irrigation systems have been designed to reduce irrigation water consumption by at least 50%.

The new Library achieved LEED certification by implementing practical and measurable strategies and solutions aimed at achieving high performance in sustainable site development, water savings, energy efficiency, materials selection and indoor environmental quality. The Petersburg Public Library is proud to be the first building in Petersburg to receive this certification. The library officially opened to the public in spring, 2014. The facility provides much needed resources and space for community needs.



Figure 4-36: Petersburg Public Library

Department of Social Services

The Petersburg Department of Social Services is the social support arm of the City. The Department's mission statement is to "deliver quality services to people in local communities that will promote self-sufficiency, responsibility and safety." The stated goals are to assist persons to triumph over poverty, neglect and abuse. The programs and services that are in place to accomplish these goals are broadly outlined below.

The benefits that the Department provides are a) food stamps, b) Medicaid, and c) TANF (temp assistance to needy families). The Department provides additional services that are not contingent upon financial need. They address a) child abuse, b) child care, c) foster care, and d) adoption for children. There are also services that help serve the needs of the City's elderly population. In an aim to reduce the poverty rate, the Department of Social Services is collaborating with other departments to creatively develop and fund with private resources programs that will link jobs created by new development and growth in the City to those who are currently unemployed or underemployed.

The Department of Social Services has added a Fatherhood initiative to its activities to support fathers and their families. In addition, social service advocates through education the ABC's in preventing infant deaths.

Social Services Issues

- Community services and partnerships are needed to provide improved employment services to the citizens of Petersburg.

Quality of Life

The City's citizens are seeing a change in the quality of life found in the City of Petersburg, although it faces competition from adjacent localities people like what the City has to offer and want more. Petersburg is home to a variety of housing options, smaller classrooms, small quaint restaurants, and unique shops containing antiques and local art. There is a short commute to major employment opportunities; there is little to no traffic in traveling to and from work, weekend events and activities, cultural arts and museums, and many other assets.

Improving the quality of life is the responsibility of the City government and a task that has not been taken lightly. City government works very closely with its school administration to provide financial and program support. The City takes pride in maintaining a clean city, safe neighborhoods and dealing with issues head on in neighborhoods that experience a threat to safety, attractive housing, retail amenities, parks, and recreation opportunities. The City of Petersburg is utilizing its resources as well as seeking grant funds to better address issues that impend local health and stability. It can't all be addressed at once, but policies are in place to prioritize the issues and tackle them one at a time. There is always the opportunity to do more, so the City must continue to foster the relationships with people who can partner to offer initiatives and incentives that will help us in attracting and retaining business in the City.

Arts, Culture and Entertainment Plan



Figure 5-1: City Council had a vision to create a more significant place for arts and culture in Petersburg. And so, the journey began. Through the strategic use of resources and creative ingenuity, the **Department of Cultural Affairs** was born. Today, it is dedicated to enriching Petersburg's artistic vitality and cultural vibrancy.



Figure 5-2: The Blandford church is a church building dating from the 18th Century that was converted to a Memorial Chapel and Confederate Shrine to honor the many soldiers who are buried in the surrounding Blandford Cemetery. The museum is noteworthy for its 15 Tiffany stain glass windows that were funded through donations by former confederate states at the turn of the 20th century.



Figure 5-3: The Siege Museum is dedicated to presenting daily life as it was before, during and after the Civil War. The museum's emphasis centers on the 10-month Siege in Petersburg, from 1864- 1865.



Figure 5-4: The Centre Hill Museum is an historic Petersburg mansion built in 1836. The home showcases Greek Revival, Colonial Revival and Federal architecture as well as decorative arts from the 18th-20th Centuries.



Figures 5-5 & 5-6: A demonstration of Civil War artillery at Petersburg battlefield (Left), Petersburg berries at the River Street market (Right)

PROGRAMS AND SPECIAL EVENTS

The City's cultural efforts have allowed us to forge partnerships with many community groups. The Department of Cultural Affairs, Arts and Tourism has worked with Public Arts Petersburg, Battersea Foundation, Southside Virginia Council for the Arts, The National Park Service, Virginia State University, The Petersburg Area Art League, the Petersburg Ballet, Virginia Tourism Corporation, and Legacy Media Institute.

The Revolutionary War Reenactment is an annual event that happens at Battersea every spring and draws many history enthusiasts.

Several commemorations and events happen throughout the year at the cemetery and historic chapel.



Figures 5-7 & 5-8: Petersburg's logo for Friday for the Arts! (Left), and a haunting shot of a gothic gazebo in St. Joseph's Cemetery (Right)



Counter-Clockwise Order - Figures 5-9 & 5-10: Dogwood Trace Golf Course, Figure 5-11: A pitcher revs up a fastball at the Petersburg Sports Complex



Current trends in sports tourism, agritourism and food tourism are now being more thoroughly explored.

Wayfinding systems are being discussed to determine best practices and current trends and there has been a shift to further explore other contemporary and cultural assets within Petersburg that might draw a broader, more diverse audience.



The City is seeking to develop more creative arts activities within Petersburg. Driving Miss Daisy was performed at the Petersburg High School Theater and the City is expecting to have many more performing and creative arts success.

Figure 5-12: Herman Maclin, local artist and educator



Figures 5-13 & 5-14: The Huguenot Community Players performing "Driving Miss Daisy" at Petersburg High School (Left), and the Petersburg Symphony Orchestra (Right)

FILM



Petersburg's film scene is booming! Whether it's AMC's *TURN*, PBS *Mercy Street*, or Meg Ryan's *ITHACA*, Petersburg is on the grow!

Tim Reid, Ken Roy and Daphne Reid led the International Film Festival to the city's doorstep, and it generated much enthusiasm and notoriety from the community and region.

Figure 5-15: *Turn*, the AMC historical television drama filmed in Petersburg

In March of 2015, the City was recognized by the National League of Cities for its efforts in acknowledging creativity and diverse communities through the partnership it had formed with the Legacy Media Institute.

Historic Structures

The Virginia Department of Historic Resources (VDHR) oversees the register of all historic districts and historic landmarks present on the State and National inventory. The Department receives applicants for the addition of structures, sites or districts to be registered as historic in the eyes of the state and National Registers (which overlap in their classifications) it must be 50 years or older and meet at least one or a combination of the following criteria:

1. Property is associated with events that have made a significant contribution to the broad pattern of its history.
2. Property is associated with lives of person significant in Petersburg's past.
3. Property embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components lack individual distinction.
4. Property had yielded or is likely to yield information important in prehistory or history.

Any structure or site that meets some combination of the above criteria and is over 50 years old is eligible for nomination. VDHR administers both State and Federal Registers. Further information about The State and National historic Registers and the programs described below is available on the VDHR website at www.dhr.virginia.gov.

Petersburg residents have begun to utilize the benefits of Historic Tax Credits, and examples of successful projects are found in the quaint historic areas of Old Town, High Street, Poplar Lawn and other revitalizing areas. Figure 11.1 shows the fluctuating number of approved historic tax credits projects since 1979 and its generally increasing trend.

Programs

Along with cataloging and management of registered landmarks, the Department of Historic Resources also provides programs intended to facilitate the preservation and protection of Virginia's historic resources.

State Historic Preservation Grants

These grants are made available to nonprofit groups (museums, foundations, historical societies) and local governments who have historic structures that are open to the public. Funds can be used to maintain museum collections, subsidize operating costs or make minor renovations and repairs. Grants must be matched by equal investment (whether monetary, or goods and services) from the applicant.

Historic Preservation Easement

The historic easement is a perpetual easement, meaning it will still apply to the property even

if it is sold. In receiving a historic easement, the property owner is allowing certain restrictions to be placed on the property (e.g. one cannot dramatically alter a home so that it no longer reflects its historic character). In return for donating the land as an easement, the property owner may receive tax deductions for the charitable donation. Inheritance and property taxes are lowered by negating the development rights that are usually factored into a property's valuation. The easement does place restrictions on alterations on the home, and basic upkeep and preservation of the property is required. Some alterations are acceptable, like remodeling a kitchen or bathroom, though all alterations are subject to review by the Department of Historic Resources.

This program is best suited for property owners who have a historic property that they have restored and wish to secure its protection (and their investment) from major alteration beyond their own tenure as owners.

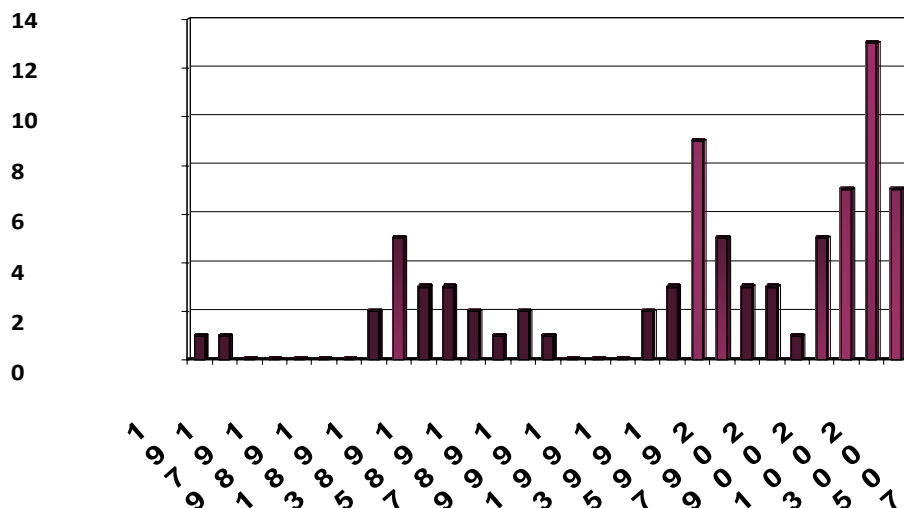
Rehabilitation Tax Credits

State and Federal tax credits are available for those who are seeking to rehabilitate buildings that are considered historically significant and income-producing. Up to 20% (Federal) and 25% (State) of the total rehabilitation expenses can be used as a dollar-for-dollar reduction in income tax liability from Federal and State taxes.

Most rehabilitation costs like structural improvements and architectural restoration are eligible, however landscaping or additions do not qualify. A comprehensive overview of rehabilitation work that is eligible as a "rehabilitation expense" is outlined in the Secretary of the Interior's Standards for Rehabilitation.

Petersburg residents have begun to utilize the benefits of Historic Tax Credits, and examples of successful projects are found in the quaint historic areas of Old Town, High Street, Poplar Lawn and other revitalizing areas.

Figure 5-16: Number of Approved Historic Tax Credit Projects (Below)
 Figure 11.1 Number of Approved Historic Tax Credit Projects
 (Source: Virginia Department of Historic Resources)



Local Historic Districts

Old Towne: Old Towne encompasses the oldest portions of the city and contain buildings dating back to the late 17th century. The district sits along the Appomattox River with vacant industrial warehouses lining Pike and Old Street. Further from the river, Old Towne has been rejuvenated with commercial and retail uses mixed with restored residences. The district is unique in that it contains historic residential, commercial, and industrial buildings and virtually every style of architecture in the US from 1800 to 1910 to present.

Poplar Lawn: Centered on a 2-blocked open green at its center, the poplar lawn historic district is primarily an example of an upper- middle class late- 19th century residential neighborhood south of the City center.

Folly Castle: The Folly Castle Historic district is located south of Old Towne and west of Downtown. It is predominantly high density residential from the turn of the 20th century. Most are frame homes with little stylistic detail, though there are some Italianate, Queen Anne and Colonial Revival styles around Washington Street. There is a commercial node that developed on West Washington Street in the 1920s-1930s as well.

Center Hill: The Centre Hill historic district is located directly to the east and southeast of Downtown Petersburg. The Center Hill Estate, a historic, early 19th century Federal Style brick dwelling was the initial central structure and focal point of the area until the land was bought and subdivided. Now the Estate is surrounded by examples of early 20th century residential architecture.

South Market Street: The South Market Street historic district contains a number of residential structures that were built in the mid to late 19th century. Once the home to Petersburg's elite, these homes demonstrate ornate, high-style examples of 19th century architecture.

Courthouse: The Courthouse historic district encompasses some of the City's major institutional buildings, the Courthouse, City Hall, Tabb Street Presbyterian church and St. Paul's Episcopal Church. Surrounding these historic buildings is a traditional 19th century commercial grid with Federal and Italianate commercial rows. Despite numerous commercial renovations the downtown district along Sycamore Street has retained its traditional architectural design.

Battersea/ West High St.: The Battersea/ West High St. historic district is a locally defined district that centers on the early 19th century suburban neighborhood of West High St. and the Battersea Mansion, which dates to the mid-18th century.

State and National Historic Districts

Pocahontas Island District: Listed on the National Register of Historic Places, Pocahontas Island is the historic home of freed slaves in the Anti-Bellum period. The neighborhood contains traditional shotgun shack style homes built for African- American factory workers in the early 19th century and a few notable brick dwellings as well. The tightly packed, mixed-use characters of the neighborhood with industrial uses immediately adjoining.



Figure 5-18: A sign on Pocahontas Island commemorating its historic status

Commerce Street Industrial District: The District is comprised of four early- 19th century brick industrial buildings. The style of architecture and availability of space makes these buildings suitable for rehabilitation as residential lofts.

Atlantic Coast Line Railroad Commercial and Industrial: The area began to take on its present industrial character beginning in the mid-to- late nineteenth century with the construction of the Cameron Tobacco Company building at the corner of Brown and Perry Streets and several lumber yards that no longer exist. The location of the Atlantic Coastline Railroad (ACL), which cut through the district en route to its terminal at Washington and Union Streets, not only promoted industrial growth with spurs that provided access to the industrial buildings but created an open swath through the district. The railroad bed of the former Atlantic Coast Line Railroad (originally the Petersburg Railroad) is still visible as it cuts diagonally across the district. Stone and concrete abutments are still visible where a railroad trestle crossed Guarantee Street on the western edge of the district. Spurs from this railroad served all of the industrial buildings in this area.

Historic Structure & Landmarks

The City of Petersburg has one of the richest collections of historic assets in Virginia. Throughout the city there are reminders of battles fought, industries come and gone, ornate architecture and skilled craftsmanship that is irreplaceable. There are also painful reminders of slavery and injustice, both before and after the Civil War. Nevertheless, Petersburg's history defines the City that it is today. Through the preservation of its buildings, visitors and residents can be proud of the dramatic and unique role the city has played in American history.

Cultural Tourism, defined as an authentic presentation of place's people and history, has become a growing segment of the tourism industry. With a range of historic sites, cultural tourism is an area where the city can benefit from the preservation and restoration of its buildings and landmarks.

For the City of Petersburg to capitalize on cultural and historical assets, an effort should be made to distinguish, restore, and preserve those sites and buildings that contribute to

Petersburg's character. The establishment of historic districts and the addition of the City's buildings to National and State Historic Registers is one-way residents have already undertaken the preservation of the City's history and created economic opportunity.



Figure 5-19: Siege Museum-15 West Bank Street ca. 1841

The Exchange Building is a two-story, five bays by five bays, Greek Revival style building with a hipped roof.



Figure 5-20: Centre Hill – 1 Centre Hill Court ca. 1820s

Built in the Greek Revival, Centre Hill was originally situated in the middle of a park. The home was built for the influential Bolling family in Petersburg. The house becomes the headquarters of Union Major General G. L. Hartsuff in 1865 after the siege of Petersburg. Then President Lincoln also visited him at the site in the same year. Centre Hill is open to the public as a museum.



Figure 5-21: Blandford Cemetery -111 Rochelle Lane ca. 1702

The Blandford Cemetery has over 30,000 gravestones dating from as far back as 1702. The cemetery has a variety of historic funerary styles and materials used across 189 acres.



Figure 5-22: Blandford Church -309 South Crater Road ca. 1736

Blandford Church is an example of 18th century Anglican Church architecture. The building was restored at the turn of the 20th century and modeled to look like Merchant's Hope Church in Prince George County (c. 1657).



Figure 5-23: City Market- 9 East Old Street ca. 1879

This octagonal building was built in 1879 on land given to the City for a market. This structure is an example of ornate, urban architecture. It has lasted through to the current renaissance of the local farmers market and has begun to serve as a city market location once again. The

City Market is also the site of the Petersburg Visitors Center.



Figure 5-24: Lee Memorial Park- 1832 Johnson Road ca. 1921

Lee Memorial Park was commissioned as a 462-acre park with roads, trails, a swimming area, bathhouse, picnic tables and baseball fields. During the Depression a 25-acre wildflower preserve was created under a WPA program focused on employing women of female-headed households. In the 1950s the lake was closed to avoid integration.

People's Memorial Cemetery-334 South Crater Road ca. 1840

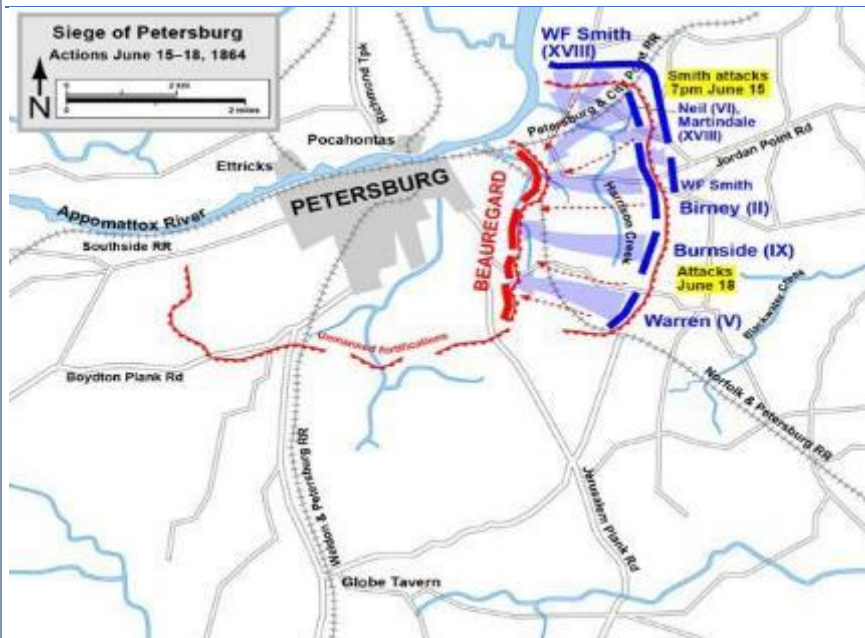
People's Cemetery is a historic African American burial ground. The Cemetery traces its roots back almost 200 years. Named to the National Register of Historic Places in 2008, and named a stop on the Network to Freedom, in recognition of its connection to the Underground Railroad, People's Cemetery is the final resting place of abolitionists, Civil War soldiers, slaves, escaped slaves and free men of color.



Figure 5-25: Jarratt House-808-810 Logan Street ca. 1820

This is the oldest standing structure on Pocahontas Island and the only brick residence still standing. Residents say this was once a hospital and a school in the 19th century.

Cultural Resources



Map 5-1: A Map showing the troop positions in the siege of Petersburg

Petersburg National Battlefield

The Petersburg National Battlefield is not just one location, but a series of sites that spread over 2,659(battlefield) acres in Petersburg, Hopewell, Dinwiddie County and Prince George County. The National Battlefield has brought over 175,000 visitors to the Petersburg area over the past ten years. Not only does the battlefield attract visitors to the area, but it plays an important role in preserving and presenting one of the most influential events in the history of Petersburg and the entire Civil War, the 10-month Siege of Petersburg by the Union Army in 1864-1865.

The presence of the National Battlefield in Petersburg is one of the City's most renowned and important cultural assets. The City has established a great relationship with the National Park Service and kept abreast of all management plans for future development.

General Management Plan- The Petersburg National Battlefield General Management Plan, completed in 2004, was the first time the original 1965 General Management plan was revised. The Plan noted incompatible residential, commercial, and industrial land use along park borders and an outdated method of historical interpretation that did not reflect advances in scholarship and changing public values. Four alternatives were proposed for the future of the Battlefield. The final alternative (D) was chosen because it was deemed the best choice for showcasing history through the cultural landscapes and preserving historical sites. The plan includes a larger focus on the role of women and African-Americans in the Civil War and the Siege at Petersburg.



Figure 5-26: Civil War reenactors help 2 children reload an antique cannon at Petersburg National Battlefield

Plan Specifics

The Management Plan included new programs and facilities at several of the Park's multiple locations, including the home Front unit in Old Towne, Petersburg. The City and the National Park Service is collaborating on the renovation and opening of a Visitor Center at the Southside Freight Depot on River Street. This is especially significant for the City as it brings more Battlefield visitors to the downtown and provides further incentive for the development and preservation of Old Towne as a historical backdrop for the story of the Siege of Petersburg.

In addition, the Management Plan calls for the Battlefield to expand by 7,238 acres. While most of this expansion is occurring in and around the Five Forks site in Dinwiddie County, the Plan does call for expansion at the main Battlefield site and a battlefield site on Flank Road across from Fort Wadsworth in the southwest corner of the City. The site across from Fort Wadsworth is the location of a Civil War battle that has remained virtually untouched.

Currently there are two principal tour routes that run through the City. Along the southern edge is Flank Road, which parallels the line of earthworks that made the Western Front. Running through the middle of the City is a tour route along Defense road, which follows the Defensive line of earthworks. Both roads are protected from encroaching development along certain stretches.

Both the City and the Battlefield are seeking ways to strengthen the ongoing and effective relationship between both parties. The Battlefield has plans on incorporating historic Petersburg into their overall presentation of the events that took place in and around the City during the Civil War. In response, the City is improving gateway corridors between battlefield sites and downtown. Both efforts will improve the overall visitor experience of Petersburg and attract more people to the Battlefield and downtown Petersburg.

The City is also a vital member of Petersburg Area Regional Tourism. This non-profit promotes the cultural and hospitality offering in the Petersburg region.

Recommendations

In conjunction with the Petersburg National Battlefield's effort to improve and expand the visitors experience at the Battlefield, the City is proud of the efforts made to focus on preserving and improving its connections with the Battlefield. This includes addressing issues of blight along the Route 36 corridor and maintaining and protecting tour routes along Defense and Flank Road from blight and incompatible development. It is the goal of the City to protect and preserve the Civil War era fortifications that run along Defense and Flank roads.



Figure 5-27, 5-28, 5-29: Signs and maps showing the way to Petersburg's historical locations

Parks and Recreation

For any community the availability of open park space, as well as enclosed meeting and activity spaces is essential. Petersburg has within its boundaries a diversity of public park spaces and recreation/meeting centers available. The land comprising the Petersburg National Battlefield Park and its related sites constitutes a large portion of open space within the City, which are federally owned and maintained. These areas are covered within the Cultural Resources section of the Comprehensive Plan. This section will focus on facilities owned and operated by the City of Petersburg.

Of the City's overall land area nearly 5% is dedicated to parks and recreational use. This includes both open park land and community centers. Of land dedicated to parks and recreational uses 95% is open space with a variety of uses, including baseball, basketball, tennis and soccer, a public golf course, tot-lots and space for walking and relaxation.

x

Parks and recreation associations recommend anywhere from seven acres to 10 acres of park land be provided for every 1000 residents. Using the highest recommendation of 10 acres per 1000 residents, and again, only considering City operated facilities, Petersburg provides just over 22 acres of public park space per 1000 residents.

The residents of Petersburg have available to them 16 parks and facilities. These include large urban parks, providing for league and organized athletic events to nature and walking trails, smaller neighborhood parks, providing for the informal recreational needs of the residents as well as space to relax and unwind, and community centers providing meeting spaces for community gatherings and city sponsored programs focused on the educational and recreational needs of the City's residents. These facilities are as follows:

A.P. Hill Community Center

The A.P. Hill Community Center is one of three community centers within Petersburg. Centrally located within the City, the facility offers a range of recreation and community-based activities. On the premises are a basketball court, a baseball field, a picnic shelter, a tot-lot, and an indoor community center which provides recreational programs for the community.

Appomattox River Trail

The planned Appomattox River Trail winds twenty-five miles through 6 communities in South Central Virginia: Chesterfield County, Dinwiddie County, Petersburg, Colonial Heights, Prince George County, and Hopewell, beginning from the west at Brasfield Dam on Lake Chesdin to the confluence of the James River in the east. This multi-jurisdictional Master Planned blueway-greenway includes both existing and planned bicycle-pedestrian paths, parks, and river access points along the 25-mile length.

Within the City of Petersburg, the trail extends two miles, .5 miles of which was paved during 2021. The remainder of the trail in the City is planned for paving and marking within the next few years. The City is actively working with Friends of the Lower Appomattox (FOLAR) and other partners to realize the completion. The trail will be connected to the planned Fall Line Trail, which will connect Petersburg to Ashland, Virginia. The Trail will also intersect with the East Coast Greenway, which connects 15 states and 450 cities and towns for 3,000 miles from Maine to Florida.

Appomattox River/Ferndale Park

Appomattox Riverside/Ferndale Park is located on property owned by the City of Petersburg but located outside the borders of the City of Petersburg in Dinwiddie County along the south bank of the Appomattox River. The property was donated by Dominion Virginia Power and is now controlled by the City of Petersburg. It provides mostly undeveloped open wooded space containing hiking and biking trails, and access to the river for boating and recreational fishing. The site also includes a half basketball court and a pavilion for group gatherings.

Berkeley Manor

Berkeley Manor is a subdivision which contains a small park that includes a baseball field and two basketball courts. Additionally, there is a picnic/event shelter on the site. The location of the subdivision, in the south-east corner of the City, is not only detached from most of the City by distance, but also physically. The barriers of Interstate 95 and Wagner Road make accessibility to the park convenient only to those who live in the subdivision.

Dogwood Trace Golf Course

Dogwood Trace Golf Course is an 18-hole, par 72 golf course. The course was originally leased and operated by a private company but was purchased by the City after it was significantly damaged during Hurricane Isabel in 2003. The City completed planning for the renovation of the course and began its renovation in April 2008. The acclaimed golf course architect Thomas E. Clark was hired to design the renovated course. A clubhouse with a pro shop and small restaurant is currently in the planning process.



Figure 5-30: Young golfers at Dogwood Trace

Players will find extensive bunkering lakes and ponds that come into play on several holes and well-manicured and challenging greens. The state-of-the-art practice facility includes a putting green, bunker chipping green and an expansive grass driving range. Dogwood's staff of PGA Professionals is available to assist citizens and visitors with instructional programs and professional fitting services.

In 2010, Dogwood Trace introduced its "Golf for Life Program" to the youth of Petersburg. This program teaches children the game of golf and a series of corresponding "Life Skills" to provide a more solid foundation for the challenges that life can bring.

Dogwood Trace serves host to several regional golf events throughout the year. These include both corporate and charitable golf outings, college tournaments and regional junior championships. It also serves as the home course for the Petersburg High School and Virginia State University golf teams.

The City of Petersburg's Dogwood Trace Golf Course opened for play in the spring of 2007. In that time, it has quickly gained recognition as one of the finest golf courses in central Virginia. It was ranked in the Top 100 courses to play in the Mid Atlantic by the Washington Golf Monthly and was dubbed "Petersburg's Hidden Gem" by the Virginia Gold Report.

The City is boasting on the newly constructed 3,330 sq. ft. clubhouse featuring a main dining lounge and bar, a private conference room, a full-service kitchen, a pro-shop, and an outdoor dining patio. This latest city owned facility will open September 2015.

Farmer Street Park

The Farmer Street Pool is a community operated pool open between Memorial Day and Labor Day. It offers open swimming to the public during weekdays and weekends and has a set aside time on Saturday for a water aerobics class for the elderly. In addition to the pool, the facility also offers two full length basketball courts, three tennis courts, a tot-lot, restroom facilities and a picnic/activity shelter.



Historic Cameron Field

Cameron Field provides a football field and track. The City is planning to provide additional lighting structures, so that the park can be used once again for night games and events.

Harding Street Community Center

Harding Street Community Center is located adjacent to the Poplar Lawn neighborhood. This community facility provides a basketball court and a picnic/activity area outside, as well as an indoor hydroponics and aquaponics laboratory and education center operated by Virginia State University.

Jefferson/Clinton Street Park

Located adjacent to the Poplar Lawn Park neighborhood the Jefferson/Clinton Street Park provides a youth-oriented activity area. Included on the site are a tot-lot for the very young, a playground for other kids, and a picnic shelter large enough for a group function.

Legends Memorial Park

Legends Memorial Park is a 330-acre park with a rich history but had been neglected for years until about ten (10) years ago when a master plan was adopted by City Council to preserve the park by incorporating public improvements and interpretive and educational programs.

Among the 330 acres, 18 acres are developed with the remaining acres offering a more natural undeveloped park. The park offers several amenities, including Wilcox Lake, picnic shelters, fishing (with permit), walking trails, Cooper Memorial Baseball Field, a bath house, and wildflower sanctuaries. Under the leadership of WWC, trails have recently been updated; an outlook with interpretive signage has been added, infrastructure upgrades facilitated the addition of restrooms. The stairs have been repaired and several annual events occur at the park. Proposed under the master plan are extended walking trails, gardens, environmental education center, and various public improvements that will enhance the park experience. Wilcox Watershed Conservancy (WWC) is a strong partner with the City on these projects.



Map 5-2: Map of Legends Memorial Park

Low Street Park

Low Street Park is a neighborhood park that has been upgraded with play equipment and plans underway for a picnic shelter at this location. Located on Low Street near the intersection with Cross Street, the park contains a comfort station and the remnants of a basketball field. The City has currently completed the improvements so the park can be a neighborhood park.

McKenzie Street Park

McKenzie Street Park is a six-and-a-half-acre park, located within the Battersea neighborhood on the northern edge of the City. The park contains a lit baseball field and restroom facilities.

National Guard Armory

The National Guard Armory is located adjacent to Lee Memorial Park and serves as a community center for the City in addition to its role as a station for the areas National Guard. The building contains a gymnasium and classroom space, and the City sponsors educational recreation at this location.

Oakhurst Playground/Park

Oakhurst Park is located at the end of Blackwater Drive, tucked away in the Oakhurst subdivision. The park is a great amenity for the neighborhood providing a baseball field, a basketball court, a tot-lot, and restroom and concession facilities.

Patton Park

Patton Park sits along the Appomattox River, offering historical information, public waterfront access, recreational fishing, and grilling facilities. A master plan has been developed for the park and the plan includes acquisition of adjacent privately owned parcels to complete the park. To the west of the park, the Friends of the Lower Appomattox (FOLAR) and the City partnered to create a new river overlook and trailhead for the Appomattox River Trail across University Blvd from the Park. Virginia State University also completed an overlook project across the river from Patton Park.

Petersburg Sports Complex

The Petersburg Sports Complex contains over 100 acres dedicated to baseball and softball. On the site are four (4) softball fields and one (1) baseball field with each field having its own press box and offices, P/A system and electronic score board. Integrated into the complex are public restrooms and a concession building.

The Petersburg Sports Complex is home to the Petersburg Generals, a summer league made up of the best college baseball players across the nation. Additionally, the Sports Complex hosts several United States Specialty Sports Association (U.S.S.A) events including national and world tournaments and World Series events.

The Petersburg Sports Complex is located adjacent to Petersburg High School, which offers a football field, track, and gymnasium, and adjacent to the Dogwood Trace Golf Course, expanding the sporting opportunities available to the complex.

Rotary Park at Pocahontas

Rotary Park is a small park nestled along the bank of the Appomattox River offering a natural canoe/kayak launch, fishing, a picnic shelter and access to the Appomattox River Trail.

Poplar Lawn (Central Park)

Poplar Lawn Park, formally known as Central Park, is a very pleasant park. Located within the Poplar Lawn neighborhood, a nationally registered historic neighborhood, the park has witnessed much history. In 1812 The Petersburg Volunteers camped on the site before leaving for the Canadian border, and in 1842 General Lafayette was greeted with much fanfare. At the beginning of the Civil War volunteers enlisted for service in the Confederate Army, and then at the end of the war a hospital were erected on the site during the Siege of Petersburg.

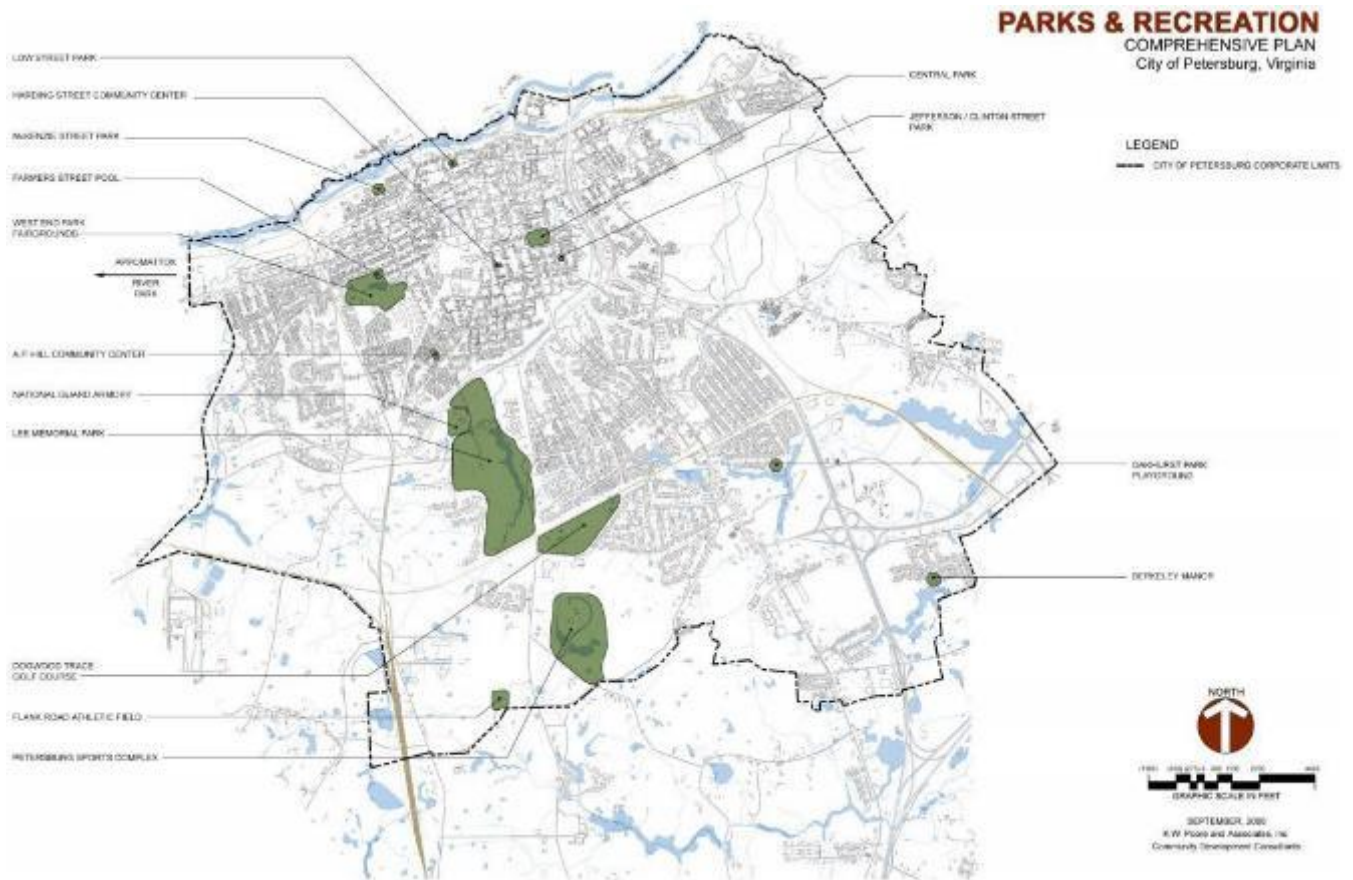
The park currently contains about four (4) square blocks of land which is landscaped and contains a radial path network. The park provides a comfortable gathering space central to the park consisting of ornate concrete tables and benches set around a raised landscape feature. Central Park is a planned park that serves as a venue for weddings, and other recreational events and activities.



Figure 5-31 - Poplar Lawn Park

West End Park Fairgrounds

West End Park Fairgrounds consists of 22 acres of mostly open space for public events. The site also provides a basketball court, a football field and walking trails for public enjoyment.



Map 5-3: A map of Petersburg's parks and recreational facilities
Parks & Recreation Issues

- Waterfront access for the public to the amenities along the Appomattox River could be more easily facilitated through an active transport network encouraging more bicycle and pedestrian traffic.
- No pedestrian trail networks connecting the parks and surrounding communities.
- No level of service standards exists under a current Park & Recreation Master Plan.
- Limited conveniently located neighborhood parks.

Public and Private Access to Waterfront

Currently 46% of Petersburg's population enjoys public waterfront access. The Appomattox is a designated Scenic River, and the City's public access points can be found on Table 7-3 below.

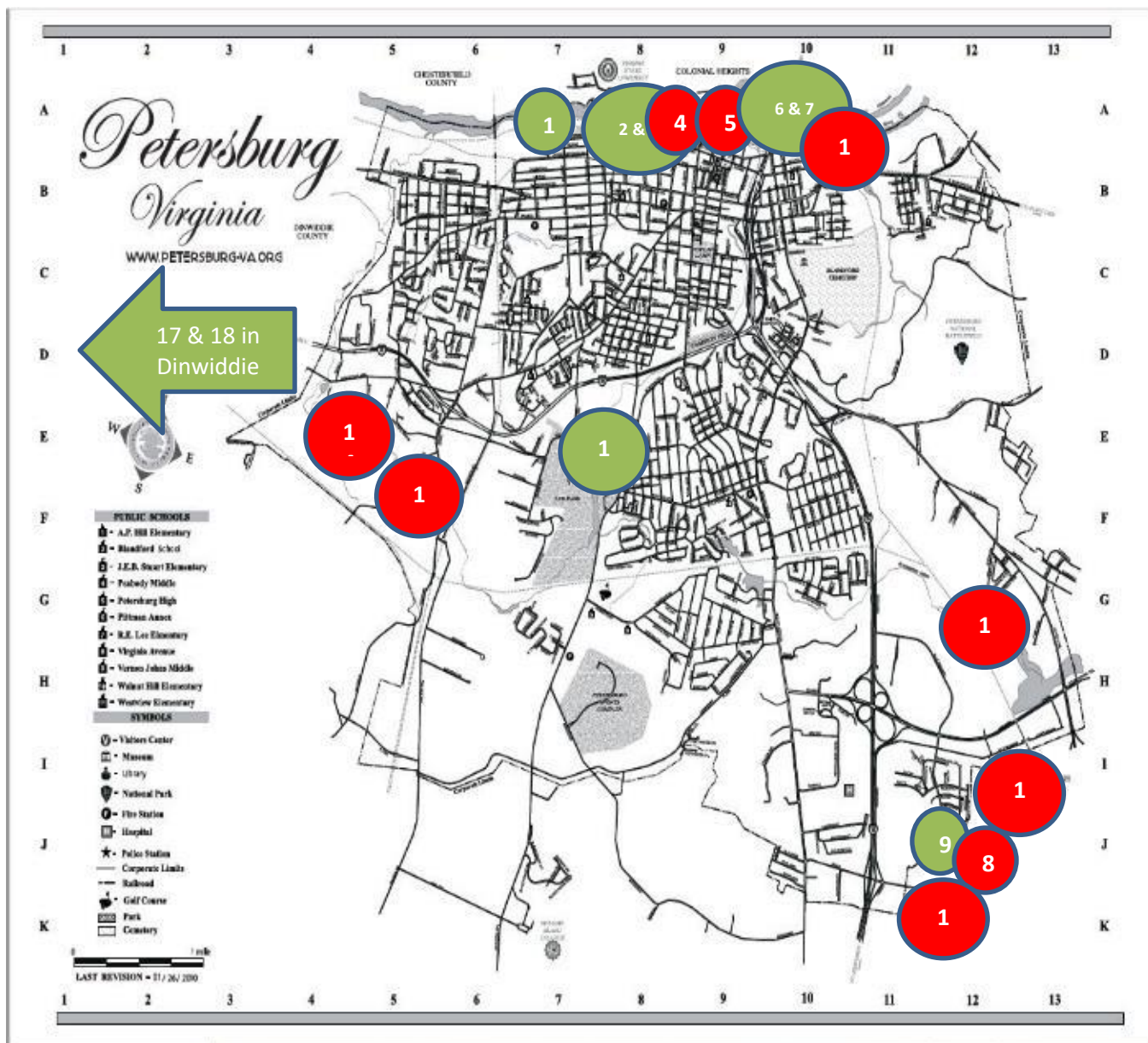


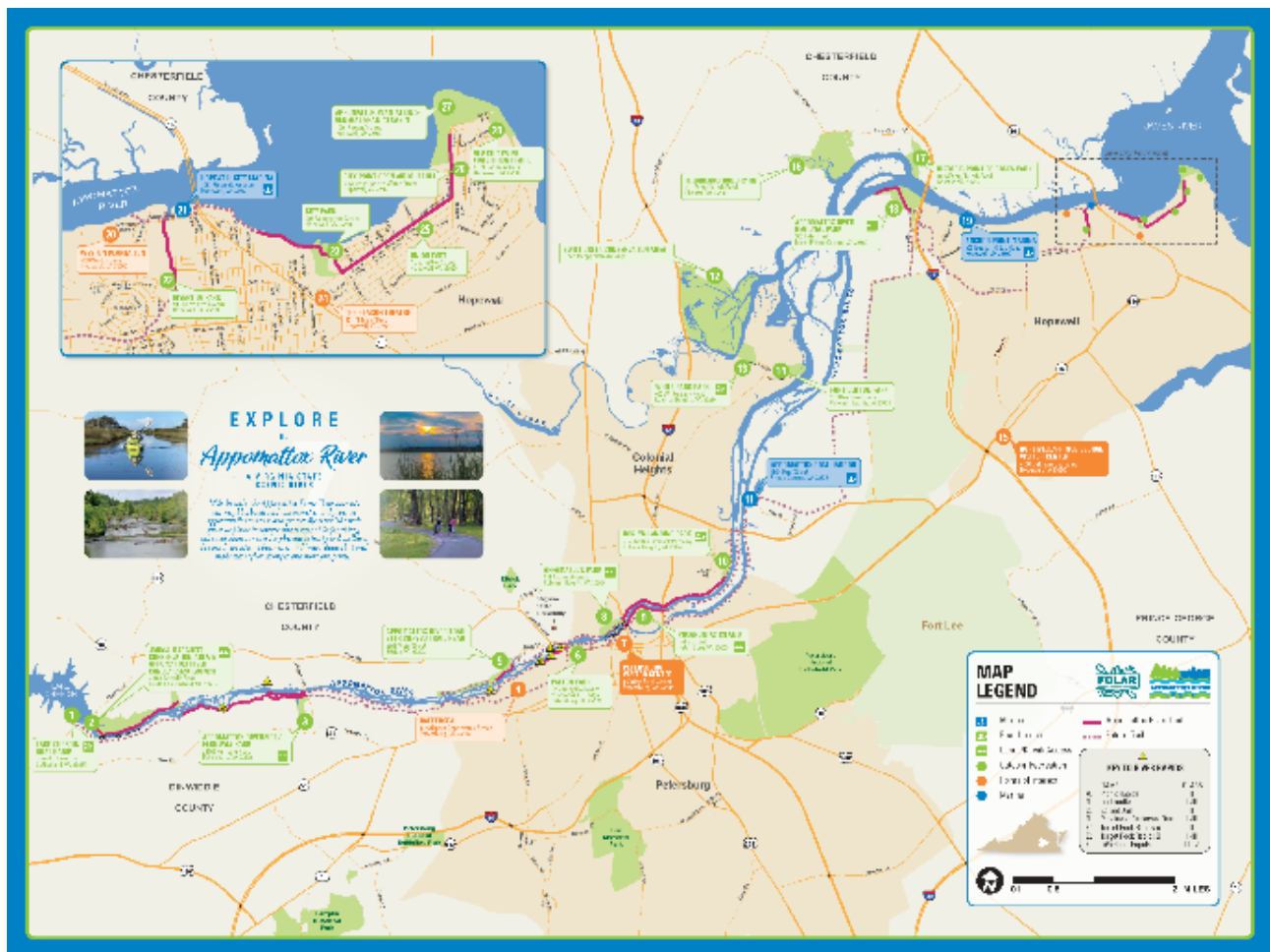
Figures 7-23, 7-24, and 7-25: Public Water Access Points in Petersburg, from left to right: Wilcox Lake, Patton Park, the bridge on the soon to be expanded Friends of the Lower Appomattox site

PATE

Table 7-3: Public and Private Waterfront Access Points in Petersburg

Site	Structure	Location	Owner	Open/Accessible to Public?
1	Bridge going over river in two locations, paved ramp to river	Appomattox River, Near McKenzie Street Park	City of Petersburg	Yes
2	Campground, Multiple paved ramps to river	Appomattox River, Patton Park	City of Petersburg	Yes
3	Dirt bank alongside trail	FOLAR Trail, west of Patton Park	City of Petersburg	Yes
4	Gantry overhanging the river	Appomattox River, Harvell Dam	Harvell Dam Associates	No
5	Paved ramp to river near large stone block	Appomattox River, east of Harvell Dam near intersection of Pike & N Market St	Railroad right-of-way area	No
6	Paved ramp to river near several painted stone structures	Appomattox River, Matoax Park on Pocahontas Island	City of Petersburg	Yes
7	Sand shore going to river	Underneath I-95 Bridge	City of Petersburg	Yes
8	Boathouse on lake in a state of disrepair	Near Berkeley Manor Park	Berkeley Estate Holding Company LLC	No
9	Square Concrete Dock on Lake	Berkeley Manor Park	City of Petersburg	Yes
10	Dock on a Lake	Private Home	Private Individual	No
11	Dock on a Lake	Brenco Compound	Brenco Incorporated	No
12	Dock, Ramp going into water	Wilcox Lake	City of Petersburg	Yes
13	Boat House on Lake	Private Home	Private Individual	No
14	Dock on a Lake	Private Home	Private Individual	No
15	Paved Ramp to River	Appomattox River, SCWWA Plant	South Central Wastewater Authority	No
16	Dock on a Lake	Private Home	Private Individual	No
17	Dirt Ramp to Water	Appomattox Riverside Park (Dinwiddie)	City of Petersburg	Yes
18	Dock on a Lake	Appomattox Riverside Park (Dinwiddie)	City of Petersburg	Yes





Map 7-21 - Water access points along the Appomattox River in the Petersburg area

Appomattox River Trail

As previously mentioned, the planned Appomattox River Trail (ART) winds twenty-five miles through 6 communities in South Central Virginia. The multi-jurisdictional Master Planned blueway-greenway includes both existing and planned river access points along the 25-mile length.

Within the City of Petersburg, the trail extends two miles, .5 miles of which was paved during 2021. The remainder of the trail in the City is planned for paving and marking within the next few years. Currently, there are four direct Appomattox River access points in Petersburg: Patton Park, Johnson Alley, Matoax Park, and South Central Waste Water Authority Plant. The Patton Park and Matoax Park are the two access points currently located on public property. All of these access points are on or near the ART. Additional public access points may be developed in the future as part of the ART development.

The Pocahontas Island Neighborhood Plan completed recently showed several ideas for reuse of the old Roper Brothers site to stimulate development on the Island. The plan further explores infill single family development as well as expanding an existing trail through the neighborhood to continue to tell the story of the City of Petersburg. Interpretive signage will tell the story of the Free BlackCommunity that existed amidst the racial turmoil going on in

the nation and other parts of the City of Petersburg. The completion of the Appomattox River dredging project could greatly aid this development goal. Any subsequent development of public waterfront access points will follow guidelines offered by the Virginia Marine Resources Commission.

Character and Location of Recreational Fisheries

There are no commercial fisheries in Petersburg. Recreational fishing is allowed at Appomattox River Park, Patton Park, Pocahontas Island, and at Lake Wilcox in compliance with state law, though to fish at Lake Wilcox the individual must have a permit and do so from within a boat. The present FOLAR trail does not allow fishing, but future sites will. There are no ordinances regarding the construction of private docks and piers in Petersburg

Parks & Recreation Policy Goals

1. **Policy Goal:** Upgrade existing park and recreation infrastructure to modern standards and improve natural areas.
 - **Objective 1:** Create a Park & Recreation Master Plan which a) Identifies priority improvements; b) Evaluates park productivity; c) Recommends action for underperforming parks; d) Furnishes a plan for greenways and trails to connect parks to the surrounding community. (Short Term: 0-5 Years)
 - **Objective 2:** Add Community/Recreation Centers at strategic north, south, east, and west locations of the City. (Long Term: More than 10 Years)
 - **Objective 3:** Expand the ecological education beyond Lee Park and include other locations where programming will allow kids, citizens and visitors can learn about urban ecology, urban agriculture, and recreate. (Short Term: 0-5 Years)
 - **Objective 4:** Ensure all subsequent development of public waterfront access points follow guidelines offered by the Virginia Marine Resources Commission. Ongoing
2. **Policy Goal:** Adopt customized park and recreation facility standards for livable communities and perform regular maintenance on all park and recreation facilities.
 - **Objective 1:** Develop and apply system-wide design standards for wayfinding, parks and recreation facilities. (Short Term: 0-5 Years)
 - **Objective 2:** Develop trails connecting parks and the surrounding community which are mindful of environmental systems, cultural assets, and historic resources. (Mid Term: 5-10 Years)
 - **Objective 3:** Improve aesthetics through new signage, resource efficient landscaping, storm-water sensitive parking areas, trash, and recycling receptacles. (Short Term: 0-5 Years)
3. **Policy Goal:** Increase and Enhance public access to waterways.
 - **Objective 1:** Ensure that water dependent activities such as docks are located and conducted in an environmentally sensitive manner and include adequate marine sanitation facilities. (Short Term: 0-5 Years)
 - **Objective 2:** Comply with the guidelines offered by the Virginia Marine Resources Commission when establishing docks or piers along waterways. Ongoing
 - **Objective 3:** Support FOLAR's efforts to expand waterfront access points along the

Appomattox River. Ongoing

- **Objective 4:** Commission a study to determine the impact of recreational fishing in the Appomattox River and Lake Wilcox and develop and implement necessary regulations.
(Short Term: 0-5 Years)

Places of Worship and Cemeteries

While many churches remain in the area, there is little cultural amenities left. There are several development partners doing work in this corridor and have been successful with a few phases of development. In addition, there is new commercial construction planned for this corridor. The city recognizes that it must continue to partner and collaborate with it partners to bring about a major impact in the community.

Blandford Cemetery

Blandford Chapel

People's Cemetery

Churches

Transportation

The transportation plan is supposed to compliment the Land Use Plan. Transportation affects quality of life, economic development, and the environment. It is one of the defining characteristics for the citizens, through traffic, and visitors who use the roads, highways, railways, busses, bike lanes, crosswalks, and trails each day. Investment in transportation has a significant impact on the community.

A well-designed and maintained transportation system is vital to the city's health. While many residents prefer the use of their own car to reach their destination, public transportation is the only feasible option for many residents. Access to jobs, homes, school, and other destinations depend on the timeliness and reliability of public transit as well as other transportation options. Understanding and addressing transportation needs requires that the City realize land use and transportation planning must be linked. As the city looks to the future, it must understand its current transportation system, current land use, and how policies should address future growth.

The following principles are intended to guide transportation (and Land Use) decisions to benefit the citizens and visitors of Petersburg.

Plan, establish, and maintain a city-wide, interconnected transportation system necessary for public safety.

1. Establish a transportation system which preserves and supports land use plans.
2. Encourage the reduction of traffic congestion.
3. Increase the mobility of the public through public transportation and regional cooperation.

Functional Classification of Roadways

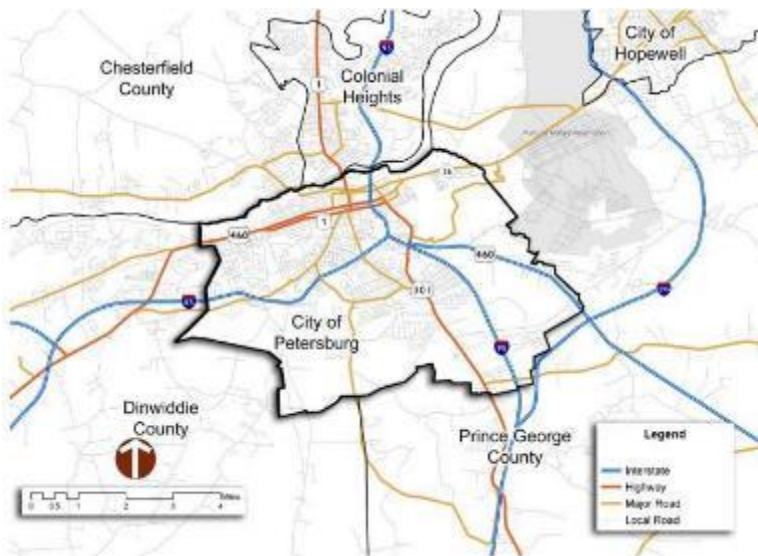
The City of Petersburg has a street hierarchy system that contains five types of roadways that are each classified based on how they function and are currently designed. Those Functional Classifications are:

1. Interstate: Designed to be full access controlled, while serving the highest volumes of traffic traveling the long distances.
2. Principal Arterials: Provide a high degree of mobility for shorter distances of travel through urban centers and rural areas.
3. Minor Arterials: Interconnect larger arterials while carrying moderate trip travel at higher speeds than Collectors.
4. Collectors: Gather and funnel traffic from local roads to arterials. Collectors often serve larger residential and shopping areas.
5. Local Road: Provide direct access to adjacent land uses and do not carry through-movement traffic.

Source: FHWA TOPR 33-01-11005: Highway Functional Classifications Concepts, Criteria and Procedures 2012 Edition, September 2012 DTHF61-07-D-0013 Program Support for Highway Policy Analysis

Roads

If the roads are ineffective at moving people and freight in a timely manner, then all other activities suffer with them. Effective and smooth transportation is primary, yet consideration should be given to how the roadway system contributes to the “livability” of Petersburg. The City’s roads offer the opportunity to accommodate multiple forms of transportation. Future growth should include a roadwaysystem that allows for multiple routes between destination points and alternative modes of transportation such as buses and bikes.



Map 6-1: Street Map of Petersburg and surrounding localities

Interstates: Petersburg sits at the intersection of two Interstate Highways, I-95 and I-85. These major routes are the modern rivers which connect commerce and residents of Petersburg with the entire East Coast. Within the region, I-95 is used as a major artery to connect Petersburg to Colonial Heights, and Southpark Mall specifically. I-95 is also used as a connector between the Southside of Petersburg and Downtown. US 460 runs through the City and joins with I-85 to bypass the City Center. US 460 is a regional trucking route which connects Hampton Roads to South and Southwest Virginia. Interstate interchanges are both a challenge and an opportunity.

Highways: Interstate Highways function as a mover of non-local goods, people, and services, serving regional needs and avoiding any land uses which generate unnecessary local traffic on the Interstate Highways. US 301, Business 460, and Route 1 run through Downtown Petersburg and serve as the major corridors. US 301 run north-south and are also the major commercial corridor on the Southside of the City. Additional development from the new Southside Regional Medical Center and Independence Village will add to traffic volume along this road. Business 460 is the major west-bound corridor that passes through the City Center.

Major Roads: Downtown remains the central point on which most of the City’s major roads meet. Fleet Street and Grove Avenue connect Downtown with Chesterfield County and Virginia State University. East Washington Street connects Downtown with Fort Lee and Hopewell. Halifax Street and Boydton Plank Road run from Downtown to the neighborhoods and industry in southwest Petersburg and Dinwiddie County. Sycamore Street connects the Downtown and Halifax neighborhoods to the Walnut Hill

neighborhood and the South Crater Road commercial corridor. Access to Interstate 95 has made the fields along South Crater Road attractive to new development.

Access to this relatively undeveloped portion of the city was necessary to its development. However, Interstate access is not the first form of transportation to change Petersburg's land use, economy, or landscape. Shipping on the Appomattox River and rail lines crossing the city have played important roles in the development of Downtown and industrial parks over the course of Petersburg's long history.

Connecting the Highways (Route 1, Business 460) that run through Downtown are the major roads of West Old Street, Bollingbrook, East Bank Street, North Market Street, 2nd, and 4th Street.

Baylor's Lane, Defense Road and West South Road create a small beltway that connects Halifax Road to Sycamore Street and Crater Road. Running South-bound out of the City is Johnson Street.

In the southern end of the City Rives Road has developed as a major road which crosses South Crater Road, I-95, and US 460. Likewise, Wagner Road connects these major corridors.

Truck Freight

Because Petersburg sits at a crossroads of regional and national highways, and major ports in Richmond and Norfolk, freight traffic is a major component of the transportation system. Freight trucking, warehouse distribution centers, and related industries greatly benefit the City by being a large source of employment. Truck Transportation in Petersburg accounted for 131 jobs in the 3rd Quarter, 2012 according to the Virginia Workforce Connection.

Rail

Petersburg is serviced by a local Amtrak station in Ettrick, located immediately north of City limits in Chesterfield. Proposed shuttle connections from the station in Ettrick would connect the Multi-Modal Transit Center in Downtown with local bus services and taxis. The Amtrak station is served by the Carolinian and Palmetto lines. The Carolinian line runs between New York and Charlotte, NC with stops at all major cities in between. The Palmetto line runs from New York to Charleston, SC and then continues as the Silver Meteor line which runs to Miami, FL. A trip from Petersburg to Charlotte, NC takes 6 hours and 30 minutes; from Petersburg to Washington a trip takes between 3 and 4 hours. Freight lines in Petersburg run along the Norfolk Southern and CSX rail lines.

Development of the Collier Yard rail site would benefit long-term Tri-Cities commuting patterns and provides a Multi-Modal Rail Station location for future high-speed rail. Collier is currently a relatively undeveloped 140-acre site South of I-85. (The surrounding land use should allow zoning of the area surrounding the Collier site for transit-oriented development, higher density residential development, light industrial employment centers, or other uses that provide greater densities of residential and/or employment development. The site has good highway access to nearby I-85 and the multimodal station may be developed for "park and ride" rail users with secure parking and connections to the local transit system.) *Source: Pre-*

Air

Petersburg is served by two airports. The Dinwiddie County Airport is a regional airport located at the convergence of I-85 and 460 in Dinwiddie County approximately 3 miles west of Petersburg. The Richmond International Airport is located 30 miles to the north via I-295 or I-95 using the Pocahontas Parkway.

Active Transportation - Pedestrian Bicycle Circulation/Trails

The transportation plan is intended to complement the Land Use Plan. The City of Petersburg envisions a vibrant, connected community, and recognizes that transportation impacts quality of life, economic development, and the environment. A well-designed and maintained transportation system that provides for a variety of transportation modes – like walking, biking, transit, driving, and future options – is vital to the city’s health. Active transportation, such as walking and biking, have been found to have a direct and specific relation to the health of residents by providing an opportunity for regular physical activity. Benefits of regular physical activity include decreased body fat levels, prevention or management of disease, and reduced levels of stress. The City prioritizes increasing comfortable and reliable access to resources, jobs, homes, schools, parks, local businesses and other destinations as part of providing a safe, equitable, affordable, and accessible transportation network. Research has found that properties with access to a transportation network that includes biking and walking increases property values leading to increased economic performance.

The following principles are intended to guide transportation (and Land Use) decisions to benefit the residents and visitors of Petersburg:

- **Prioritize people** in establishing and maintaining an interconnected multi-modal transportation system.
- **Preserve and support** land use plans.
- **Improve community health** and **reduce traffic congestion** through walking and biking infrastructure and transit improvements.

Street Classifications

The City of Petersburg’s streets are divided into five categories based on the character of service they are intended to provide and how they are currently designed:

- **Local Street:** provides direct access to adjacent land uses and does not carry through-movement traffic. High pedestrian and biking volume is anticipated.
- **Collectors:** gathers and funnels traffic from local roads to arterials. Collectors often serve large residential and shopping areas. Pedestrian, bicycle, transit, and vehicular activity is anticipated.
- **Minor Arterials:** interconnect larger arterials while carrying moderate trip travel at higher speeds than Collectors. Pedestrian and bicycle activity may be expected and will necessitate a higher level of design to ensure safety and comfort.
- **Principal Arterials:** provide a high degree of vehicular mobility for shorter distances of travel through urban centers and rural areas.
- **Interstate Highways:** designed to be fully access controlled, while serving the highest vehicular traffic volumes traveling long distances. Freight activity expected. Pedestrian and bicycle access is prohibited.

Complete Streets

The City of Petersburg is committed to the improvement of transportation equity, enhancements to the built environment, and safe, affordable, and reliable transportation options, as defined by the National Complete Streets Coalition. Petersburg recognizes that four of its seven wards are home to its most vulnerable populations, such as seniors, children,

the homeless, persons with disabilities and mental health challenges, veterans, and persons formerly incarcerated, and therefore should focus its transportation efforts on completing its transportation network for all users using a “Complete Streets” concept.

Complete Streets are streets that benefit and work for everyone. They are designed to enable safe and efficient access for pedestrians, bicyclists, transit users, and motorists at the same time and within the same right of way. A complete street may include sidewalks, bike facilities, transit lanes, frequent and safe crossing opportunities, median islands, accessible pedestrian signals, curb extensions, narrower travel lanes, roundabouts, and more. A complete street’s design is not prescriptive, but instead is determined within the context of a street’s function, location, and any historic designation.

As Petersburg continues to grow, redevelop, and repair its streets, it should ensure all new construction, rehabilitation, reconstruction, retrofit, repair, resurfacing, repaving, restriping, rehabilitation, and all other operations related activities consider the needs of all users of all abilities. The City will prioritize its neighborhoods and portions of the built environment with aging infrastructure, and those suffering from long-term deferred maintenance.

The City recognizes the many benefits that can come from having a more complete transportation network, and from designing space to encourage pedestrian and bicycle travel. Active transportation modes like walking and biking can produce a number of positive effects for Petersburg, including:

- Reducing traffic
- Increasing visits to local businesses
- Cleaner air/environment
- Conserving energy
- Promoting physical and mental health
- Reducing chronic disease illness, such as diabetes and hypertension
- Increased social interactions and improved sense of community

Policy Recommendation

Adopt the draft Petersburg Complete Streets Policy developed in partnership with the National Complete Streets Coalition.

Pedestrian and Bikeways Network

Developing a safe, comfortable, and connected network for walking and biking is a vital part of moving Petersburg forward as a thriving, healthy, desirable place to live, work, shop, and play. More broadly, these facilities are economic development tools that attract new business, provide tourism destinations for visitors and active transportation to Petersburg’s many historical sites, and assist in the physical and mental well-being of residents.

Community outreach concerning current resident walking/biking activity and challenges to increasing walking/biking was done in collaboration with the Crater Health District, Crater Planning District Commission, Bike Walk RVA, and Friends of the Lower Appomattox River, generating 190 in- person and online survey responses. Eighty percent (80%) of those

surveyed said they would like to walk and bike more frequently than they currently do. When asked what makes walking and biking challenging in Petersburg, 57.8% said unsafe roads, 46.5% said lack of connected biking and walking routes, and 43% said lack of bike lanes, signage, bike racks. A majority, 64.7%, indicated that they would be more likely to ride a bike if protected spaces to ride were available, and 87.7% desired to see a network of safe biking and walking infrastructure that connects destinations in Petersburg and protects people biking and walking from vehicular traffic.

This section provides general guidance for the location and design for bicycle and pedestrian facilities. A bikeway facility is defined as an improvement designed to provide for bicycle travel, whether on a road, shared-use path, trail, or other approved facility.



Figure 6-1: A pedestrian walkway in Appomattox Riverside Park, owned and operated by the City of Petersburg, despite its location in Dinwiddie County

Pedestrian Facilities

Pedestrian facilities provide for the safe and comfortable movement of people walking and using wheelchairs.

As Petersburg's streets are periodically updated and rebuilt, sidewalks with ADA-accessible ramps, paved shared-use paths (see Bicycle Facilities), or painted walking lanes should be used to ensure safe pedestrian movement. Accompanying roadway features like high visibility crosswalks, pedestrian signals (automatic or with push buttons set at a height accessible to wheelchair users, with audio for visually impaired, and timed to allow crossing by slower or low-mobility pedestrians), shortened crossing distances, and protected crossing islands should be considered when planning for comfortable pedestrian movement. Tree canopy along pedestrian facilities is important to provide shade and increase pedestrian activity.

New pedestrian facilities should be prioritized in neighborhoods connecting to local schools, observed areas of pedestrian activity where there currently are no facilities (i.e., "goat paths" or "desired paths" where grass has eroded from repeated walking activity), accessible to business and services, and new development.

Bicycle Facilities

Following the NACTO Urban Bikeway Design Guide, determining what kind of bicycle facility is most appropriate for a given space largely depends on street speed and vehicular traffic volume. A facility can be chosen based on existing conditions, or shifting those conditions (e.g., road diet to reduce speed/bring into alignment with posted speed limit) to allow for a particular facility. In general, as street speed and traffic volume increase, more protection and separation of bicycles from vehicles is needed. The FWHA Small Towns and Rural Multimodal Networks Guide may also be used when planning for more rural sectors of the city.

The following typical bicycle facility types, listed from least to most protection and separation, demonstrate what may be used, though they do not prohibit the City from seeking permission for an infrastructure experiment as needed.

Shared Lane Marking (Sharrows): marking to indicate a shared travel lane for people riding bikes and driving vehicles that also provides directional guidance.

Neighborhood Byway/Neighborhood Greenway/Bike Walk Street/Bike Boulevard: a neighborhood street optimized for the convenience and comfort of people walking and riding bicycles. Bike-walk streets are built to slow vehicle speeds and to discourage cut-through vehicle traffic from outside the neighborhood.

Standard Bike Lane: a dedicated lane for people riding bikes separated from motor vehicle traffic.

Buffered Bike Lane: a bike lane with additional space between people riding bikes and motor vehicle traffic identified by a wide, painted area.

Contra-Flow Bike Lane: a bike lane on a one-way street that proceeds in the opposite direction of vehicle traffic.

Protected Bike Lane (Cycle Track): a buffered bike lane that also has a physical barrier such as posts, curbs, or parked vehicles between the bike lane and vehicle travel lane. Protected bike lanes may be one-way or two-way, and may be at street level, at sidewalk level, or at an intermediate level.

Shared Use Path / Multi-Use Path: a separated shared use/multi-use path for people riding bikes, walking, using a wheelchair, and many other non-motorized ways of traveling. Typical facilities are paved asphalt or concrete.

The following pictures are examples of the previously mentioned bicycle facility types. All photos were taken in the Greater Richmond Region.



Figure 6-2: (Shared Lane Marking / Sharrow)



Figure 6-3: (Standard Bike Lane)



Figure 6-4: (Buffered Bike Lane)



Figure 6-5: (Contra-Flow Bike Lane)



Figure 6-6: (Bike Walk Street)



Figure 6-7: (One-Way Protected Bike Lane)



Figure 6-8: (Two-Way Protected Bike Lane)



Figure 6-9: (Shared-Use/Multi-Use Path)



Figure 6-10: (Shared-Use/Multi-Use Path)

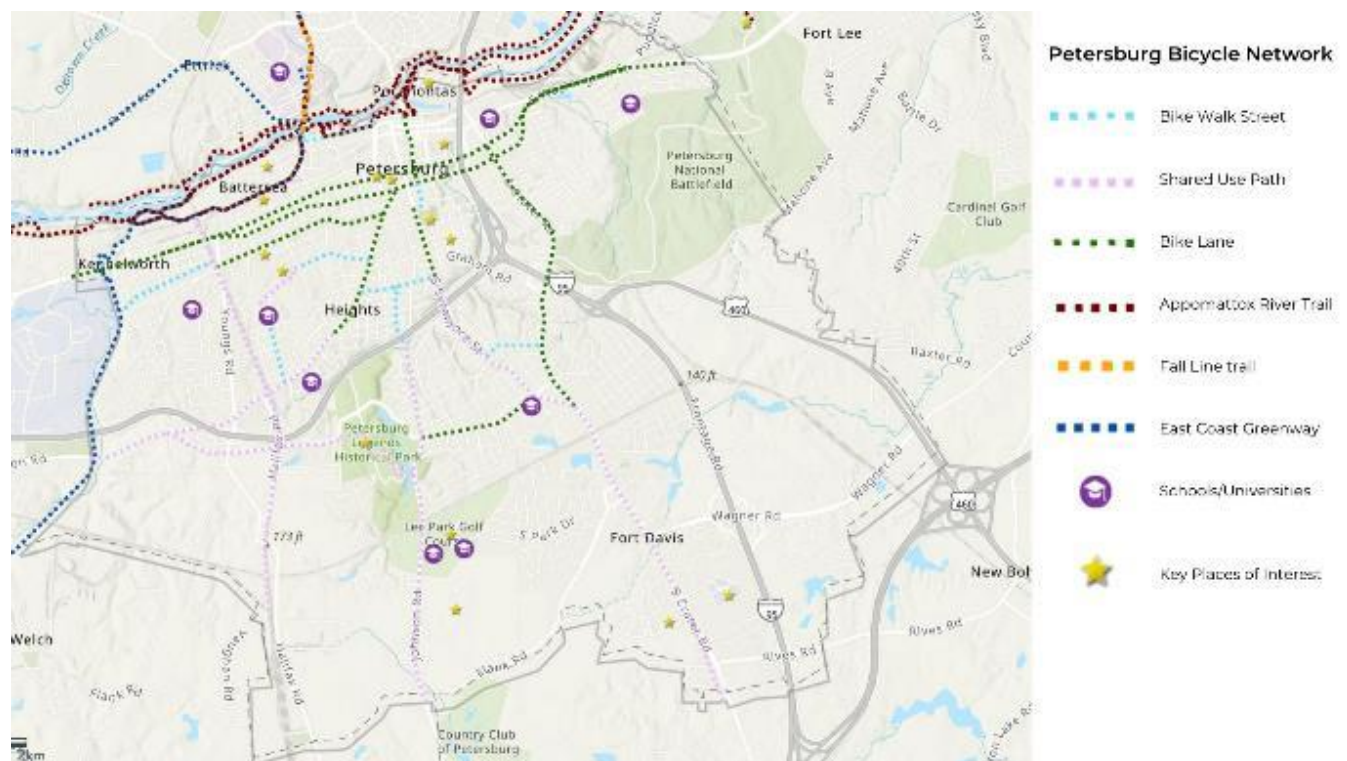
In addition to dedicated facility types shown above, intersection treatments (such as painted bikeboxes, pedestrian signals, protected crossings, and green pavement striping) should be considered to ensure navigating by bike is safe and intuitive and brings awareness to motorists. Bike parking installation should focus first on key destinations, including the library and other city buildings, transitstation, schools, grocery stores, parks, and commercial hubs.

Bicycle Network Chart

The recommended network below was developed with the primary goal of safely and comfortably connecting people to key destinations identified from community feedback and observable desired paths. The following chart and map provide details on facility type and priority for recommended segments of the Petersburg Bicycle Network.

Table 6-1: Bike Routes in Petersburg

Facility	Recommended Facility Type	Endpoints	Miles	Implementation
Adams St	Buffered Bike Lane	River St, Wythe St	0.52	Medium term
Adams St	Bike Walk Street	Wythe St, Tulip Alley	0.18	Short term
Augusta Ave	Shared-Use Path	S West St, Shields St	0.31	Medium term
Boydton Plank Rd	Shared-Use Path	City limits, Defense Rd	0.29	Medium term
Claremont St	Bike Walk Street	S Crater Rd, Sycamore St	0.44	Short term
Defense Rd	Shared-Use Path	Boydton Plank Rd, Banister Rd/Lee Memorial Park Trailhead	1.34	Long term
Farmer St/Dupuy Rd	Standard Bike Lane	Halifax St, Youngs Rd	1.34	Short term
Ferndale Ave	Bike Walk Street	Youngs Rd, City limits	0.72	Short term
Grove Ave	Bike Walk Street	Canal St, S Sycamore St	0.65	Medium term
Halifax St	Standard Bike Lane	Harrison St, Hilton Pl	1.17	Short term
Halifax St/Boydton Plank Rd	Shared-Use Path	Defense Rd, Hilton Pl	1.50	Long term
Halifax Rd	Shared-Use Path (rails with trails)	Boydton Plank Rd, Defense Rd	0.40	Medium term
High Pearl St	Bike Walk Street	Shore St, Johnson Rd	0.44	Short term
Johnson Rd	Shared-Use Path	Richmond Petersburg Tnpk, City limits	2.76	Long term
Lee Ave	Bike Walk Street	Halifax St, S West St	0.57	Short term
Lee Memorial Park Trail	Shared-Use Path	Johnson Rd, Banister Rd	0.89	Short term
N Market St	Bike Walk Street	Pike St, W Old St	0.04	Short term
Patterson St	Bike Walk Street	Augusta Ave (Carver St?), Halifax St	0.55	Short term
S Crater Rd	Standard Bike Lane	Washington S, S Sycamore St	2.19	Short term
S Crater Rd	Shared-Use Path (on-street)	S Sycamore St, City limits	2.13	Long term
Shore St	Bike Walk Street	S Sycamore St, Halifax Rd	0.56	Medium term
South Blvd	Standard Bike Lane	Johnson Rd, S Sycamore St	0.92	Short term
Squirrel Level Rd	Shared-Use Path	Defense Rd, Rail line	1.01	Medium term
Sycamore St	Shared-Use Path	Shore St, S Crater Rd	1.46	Long term
Sycamore St	Standard Bike Lane	Tulip Alley, Shore St	0.54	Short term
Tulip Alley	Bike Walk Street	S Sycamore St, S Adams St	0.06	Short term
University Blvd	Bike Walk Street	Appomattox River Trail, Grove Ave	0.10	Short term
Washington St	Protected Bike Lane	Atlantic St, City limit	5.0	Long term
Wythe St	Protected Bike Lane	City limits	5.0	Long term
Youngs Rd/Rails with Trails Path	Shared-Use Path (adjacent to railroad)	Appomattox River Trail, Collier Yard	3.0	Long term



Map 6-2: Bicycle networks within the City

Funding and Maintenance

The proposed 33.95-mile network will consist of various facility types ranging from on-road bicyclelanes to paved shared-use paths. The cost is dependent upon many factors that include, but are not limited to, facility type, topography, environmental impacts, right-of-way and/or easement acquisition, utility relocation and construction.

Funding for this network will be a part of the annual budget process which is a public process and community input should determine, in large part, the funding ability for this network in consideration of other community needs. Potential sources of funding to implement the network may include:

- Capital Improvement Program
- Grants
- Bond Referendums
- Public-Private Partnerships
- Fundraising Events
- VDOT Revenue Sharing
- Congestion Mitigation Air Quality (CMAQ – Federal)
- Transportation Alternative Projects (Federal)

Other alternative funding options, such as user fees or donations may be considered to pay for construction and maintenance of the network.

Maintenance of the network will depend upon the location of the facility. Facilities on City-owned right-of-way will be maintained by the City of Petersburg. The Parks and Leisure Services Department will be responsible for the maintenance of facilities traversing a local park.

Regional Trail Efforts

There are a number of regional trail efforts that are proposed and/or planned to travel through or connect with Petersburg, including the Appomattox River Trail, Ashland to Petersburg Trail, and Dinwiddie County trails. Connecting a Petersburg bicycle network with regional trails enhances residents' and visitors' transportation and recreation option and moves the City forward as a historical place to visit with multiple transportation options.

Policy Recommendations

- Amend Section 110-356 (Ordinance No. 02-29, 5-21-2002) of the Code of the City of Petersburg entitled “Riding of bicycles on sidewalks prohibited.” Riding a bicycle on a sidewalk is allowable in many localities across the Commonwealth of Virginia and is expressly allowed under state law. In areas of the City where bicycle facilities are not provided and street speeds are too high to be comfortable for peoplebiking to share a travel lane, using the sidewalk can provide a safer option until facilities are provided. While on sidewalks and shared-use paths, bicyclists must always yield the right of way to pedestrians and give an audible signal before passing a pedestrian.
- Develop an ordinance requiring pedestrian walkways be maintained during street closures due to construction.
- There are currently no bike lanes in the City of Petersburg. The Tri-Cities Area Recommended Bikeways Improvement Map indicates a proposed on-street bike lane along Wythe and Washington Streets and along South Sycamore Street and South Crater Road. Along these busier routes, bike lanes would create the appropriate space for safe bicycle travel along Petersburg’s central arterial routes. In between these lanes would be bike routes (widened shoulder for bikes without delineated bike lanes) along connector roads like Dupuy Road and High Street.
- The highest concentration of walkers in Petersburg is located in the neighborhoods that lie within an approximately 1.5 mile wide radius of Downtown. Despite a high concentration of Petersburg’s workforce, the neighborhoods south of I-85 have a relatively low pedestrian percentage.

Park and Ride Lots

The Virginia Department of Transportation is currently studying locations for a Park and Ride Lot.

The following are being considered:

- Union and Washington Street near Petersburg Transit Station
- I-85 and Boydton Plank Road
- I-95 and Courtland Road near Parkdale Road
- I-295 and County Drive
- I-95 and Winfield Road near Crater Road
- Near S. Sycamore Street and E. Wythe Street

Mode of Transportation Used to Get to Work	
Walking	2%
Public Transportation	3%
Car Pool	19%
Drive alone	74%
Other	2%

Source: Analysis of Residential Market Potential, Zimmerman/Volk Associates, Inc.
February 2008

Figure 6-10: Mode of Transportation Used to Get to Work in Petersburg, 2008

The Six-Year Improvement Plan

The Virginia Department of Transportation reviews annually six-year plans for localities. The Six-Year Plan prioritizes projects for funding and implementation. Over the next six years, the City will be pursuing various transportation projects that will alleviate congestion in various sections of the City and open the door for further growth. The following revisions to the Six-Year Plan for the Richmond District (which include Petersburg), for the 2014 – 2019 period includes:

- (UPC 15832) Rives Road Widening to four lanes between South Crater Road and the I-95 interchange. Estimated cost of \$8,394,000.
- (UPC 103803) Route 460 PPTA Construction from the Intersection of I-295 in Prince George County to the intersection of Route 58 in the City of Suffolk. Estimated cost of \$1,396,045,000.
- (UPC 103754) Route 460 PPTA DEBT Service from the intersection with Route 58 in the City of Suffolk to the Intersection with I-295 in Prince George County. Estimated cost of \$860,910,000.
- (UPC 100432) Project Oversight (RT 460 Corridor Improvement Project) Service from the intersection with Route 58 in the City of Suffolk to the Intersection with I-295 in Prince George County. Estimated cost of \$89,127,000.
- (UPC 56638) Location and Environmental Study (PE Only) from the intersection with Route 58 in the City of Suffolk to the Intersection with I-295 in Prince George County. Estimated cost of \$31,301,000.
- (UPC 104956) I95/I85 SB Interchange Safety Improvements (PE Only) from I85 to Wagner Road Estimated cost of \$200,000.
- Tri-Cities Multi-Modal Station Study is funded to start the Environmental Assessment as part of the NEPA requirements in the amount of \$250,000. The project is based on the DRPT Tri-Cities Multi-Modal Station Study (dated August 22, 2012, recommending that the NEPA be completed for the two potential station location, Ettrick located in Chesterfield County and the Collier Yardsite located in Petersburg. The NEPA study will determine a site for a regional Multi-Modal Station.
- (UPC 101030) Puddledock Road & Route 36 Intersection Improvements. Estimated cost of \$1,226,000.
- (UPC 101289) Puddledock Road & Industrial Drive Intersection Improvements. Estimated cost

of \$522,000.

- (UPC 78946) Construction of Hospital Road 4 Lanes. Estimated cost of \$6,589,000.
- (UPC 104868) Signal Upgrades – Various Locations, City of Petersburg. Estimated cost of \$1,600,000.
- (UPC 104869) Various Locations, City of Petersburg. Estimated cost of \$450,000.
- (UPC 101039) South Crater Road Area Signal Coordination. Estimated Cost of \$660,000.

The following projects are included in the SYIP 2014-2019 plan for CMAQ projects:

- Traffic Signal Timing City-Wide = \$180,000 FY18
- Extend Left Turn Lane on S. Crater Road and Morton = \$550,000 FY18
- Extend Turn Lanes S. Crater and Medical Park Blvd = \$335,000 FY18

The following projects are to be considered as part of the SYIP CMAQ process:

- S. Crater Road at S. Sycamore Street
- S. Crater Road at Wal-Mart entrance - LTL
- S. Crater Road at Flank Road
- S. Crater Road at Graham Road – RTL
- Johnson Road at South Boulevard
- Petersburg crash truck
- 6 PAT buses
- N. Normandy Drive at Wagner Road
- S. Crater Road at Wagner Road – RTL
- Petersburg Park & Ride lot



Figure 6-11: Petersburg Transit Center

2035 Tri-Cities Transportation Plan

- The Tri-Cities area is an ozone non-attainment zone, so traffic delays and congestion need to be considered considering emissions. Build-up along commercial corridors and the land-use designations that promote it should be reconsidered. (Effective June 18, 2007, the U.S. EPA approved a request by the Commonwealth that the Richmond area be reclassified to ozone maintenance area status.)
- (The top three rated interstate projects recommended in the 2035 Plan are in Petersburg. These projects include two series of recommended I-85/I-95/Rt.460 interchange projects and the reconstruction of the I-95 interchange at Rives Road.)
- The Route 460 Public Private Partnership Act (PPTA) is a large project located within a major State transportation corridor linking South Hampton Roads and the Tri-Cities. The scope of the Route 460 PPTA involves the construction of a 55 mile long, limited access highway between Route 58 in Suffolk, Virginia and I-295 in Prince George, Virginia. This 4-lane divided highway is proposed to be constructed in a new location generally parallel to and approximately 1 mile south of the existing Route 460. Approximately 6.6 miles of the Route 460 PPTA project is proposed to be located within the Tri-Cities.)

The Tri-Cities Area 2035 Transportation Plan is an overarching document prepared by the Crater Planning District Commission June 2012. The Plan looked at a variety of factors influencing future transportation planning and highlighted the need for comprehensive planning to combine land-use and transportation planning across the region. The following are some key excerpts from the Plan:

U.S. Route-460, Interstate-85, and Interstate-95 Interchange Improvements

This interchange serves as the nexus for three interstate-quality facilities. The Commonwealth's proposed investment in the Route 460 corridor to improve access to the Port and enhance economic development will add additional traffic pressure to this interchange. The Tri-Cities MPO has identified approximately \$80 million in improvements to maintain the flow of people and goods at this location by the year 2035. Funding for this project will be sought from the State of Virginia through the HB2 funding source. This funding source is linked to The Multimodal Transportation Plan VTRANS2040 which requires all local transportation needs to be directly linked to land uses and identified in the plan.

Once these needs are identified in the plan then the City, MPO, Petersburg Area Transit and Crater Planning District are allowed to submit projects for review. The funding source for

the project is provided by House Bill 2 (HB2). The improvements to the I-85, I-95 and 460 corridors will allow greater access to Trucking and Transportation traffic. In addition, it will support the economic strategy of the City to attract additional retail and restaurant business along this end of Crater Road.

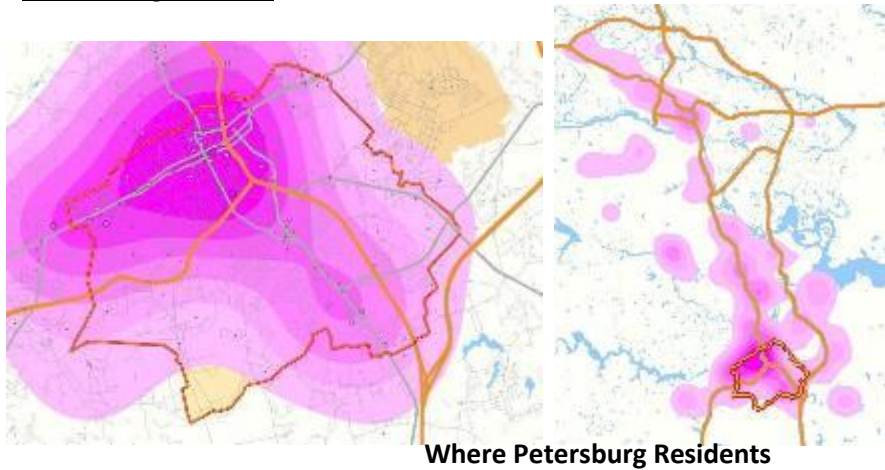
The improvements would make it easy for trucks and vehicular traffic easy access on and off the interstate to the commercial and residential areas along this Southern end of the City. This will also improve the ability of the transportation industry to move goods without experiencing delays. More importantly for the City of Petersburg it would provide an opportunity for Transit to provide additional service routes along this corridor and help connect people to the employment centers, and training located in this section of the city.



Map 6-3: Map of Future Transportation and Roadway Improvements

Recommendation: With the provision of a bike network map in the 2026 Transportation Plan, Petersburg has an opportunity to plan a reality by implementing the proposed bike lane improvements. The creation of new bike lanes should also be accompanied by a user-friendly City map that highlights bike lanes, bike routes, and other roads suitable for bike travel. A widely circulated bike map will encourage prospective cyclists and newcomers to Petersburg to utilize the new system and offer another mode of transportation to its citizens and tourist.

Commuting Patterns

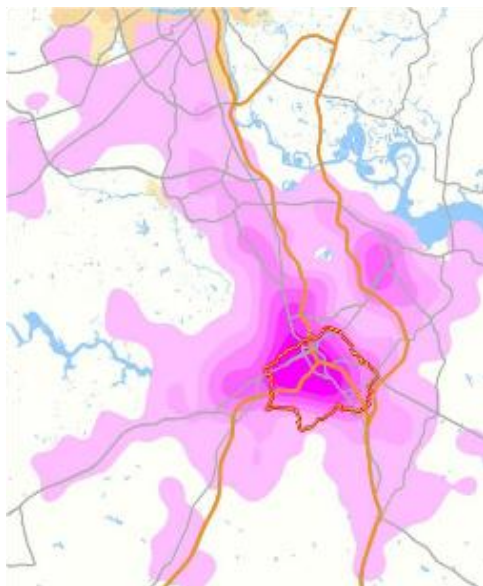


Work

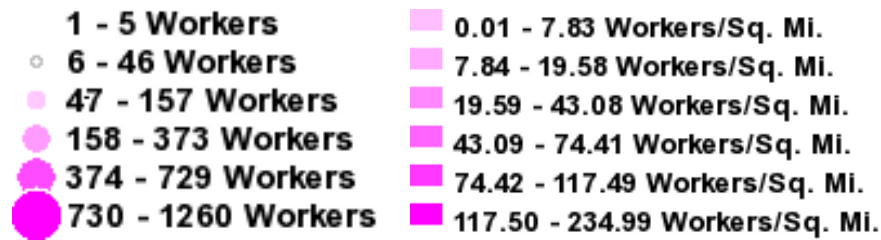
Map 6-5 & 6-6: Where Petersburg residents work, both near the city (left) and at some distance (right)

For Petersburg residents, the major commuting thoroughfares out of the city run north along I-95, east to Hopewell along Rt. 36 and I-295 and west on I-85. The strongest core of employment remains in the northern section of the City and runs along the Washington/Wythe corridor, Downtown/Oldtowne and the Sycamore Street corridor. Future shifts in employment concentration should be expected with the relocation of Southside Regional Medical Center to South Crater Road.

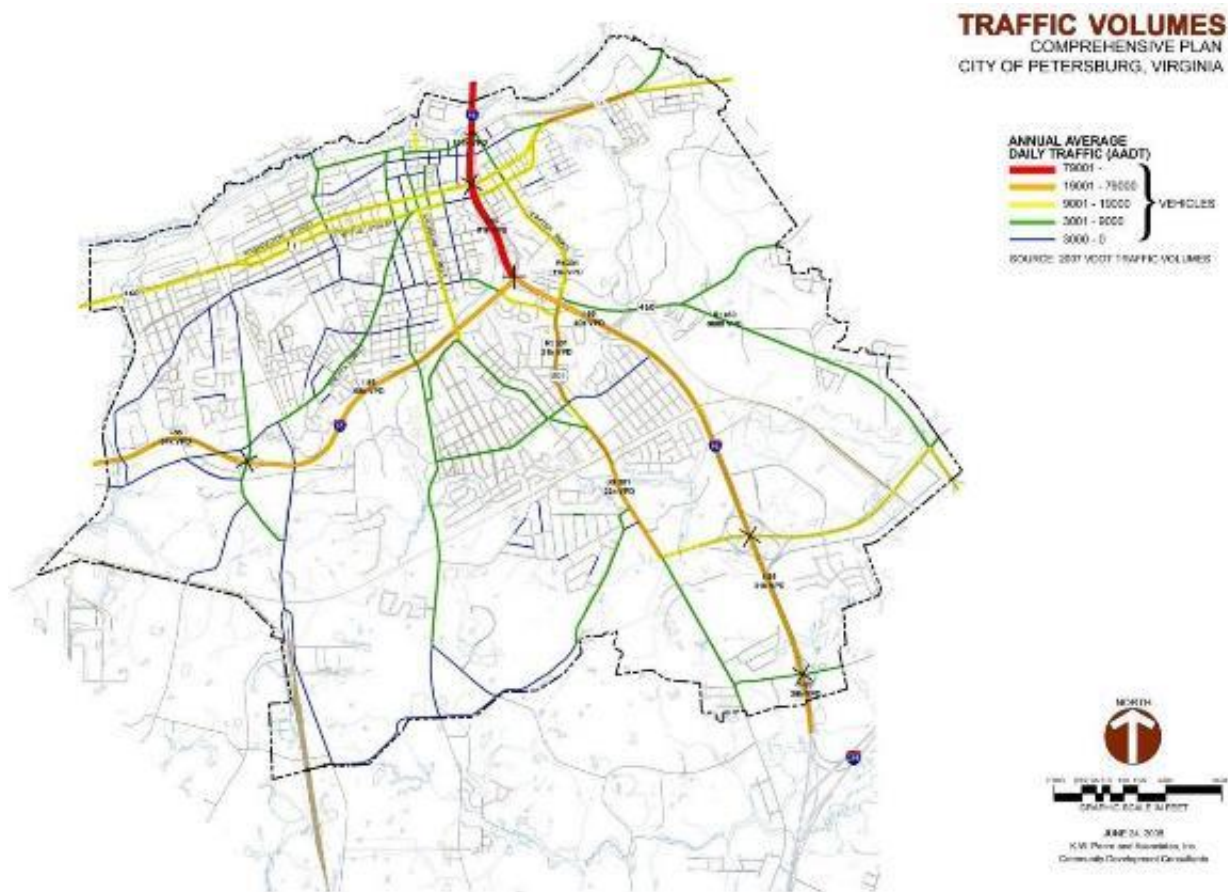
Where Petersburg Workers Reside



Map 6-8: Where individuals working in Petersburg reside



Commuting in and out of Petersburg is comparatively smooth with the interstates that run through the City. To take advantage of the interstate system, the City should work to expand its bus service to employment centers outside of city limits.



High Speed Rail Service

In 2010, Amtrak announced a 30-year project to introduce high speed service along the East coast railcorridor. The plan examines several locations in various communities; the City of Petersburg is one of the sites being considered. Amtrak completed the Tier 1 Environmental Impact Study and started looking to complete the Tier II EIS in 2011. Passenger service, pending federal funding, is scheduled to begin by 2022.

The City of Petersburg has positioned itself by performing a feasibility study of the area known as Collier Yard. This 86-acre site is located off I-85 in a rural and industrial environment with single-family residential communities adjacent to the site as well as the Battlefield. It is believed that the successful location will be development ready, not requiring any special approvals or rezoning. The site will be ready to go and support rail-oriented development. For that to be the case for this site, the City will adopt the policies that will govern Transit Oriented Development, combined land use and transportation, promote the current transit service and facilities, and to encourage transit-oriented development at the preferred location.

The City is in a good position because all the acreage at Colliers Yard is owned by the City of Petersburg.

Figure 6-12: Amtrak's Acela currently operates from D.C to NYC



Park

Map 6-9: Location Map of Colliers Yard and Industrial

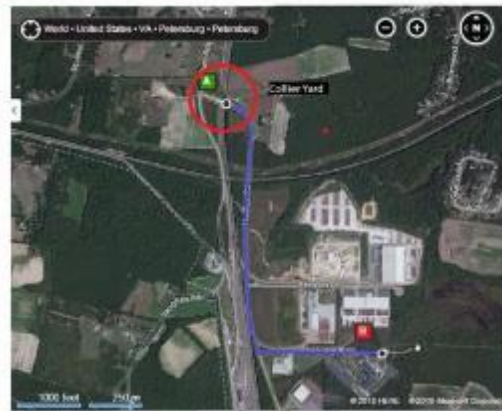


Figure 6-13: Rendering of proposed Rail Station Town Center

Transportation Issues

- No policies or master plan exists for parking in Old Towne and the Central Business District.
- Infrastructure improvements for cars, pedestrians, and bikes are needed in historic neighborhoods as well as new growth areas.
- Public Transit has limited hours and service to/from neighborhoods to regional employment centers.
- Directional sign improvements are needed along entrance corridors and interstates.
- Congestion/lack of road interconnectivity on South Crater Road around the new Southside Regional Medical Center

Transportation Policies

1. **Policy Goal:** Promote an efficient, well-marked, and convenient parking network in the central business district and Old Town without compromising aesthetics but accommodating pedestrian and multi-modal transit activity.
 - **Objective 1:** Undertake a master plan and management effort for parking in the Central Business District and Old Town. (Short Term: 0-5 Years)
 - **Objective 2:** Study the benefit and cost versus expense of maintaining parking meters or a pay parking system. (Short Term: 0-5 Years)
2. **Policy Goal:** Provide efficient, frequent, reliable transit service to employment centers.
 - **Objective 1:** Continue to study and identify route and service improvements to better connect Petersburg residents with employment centers throughout the region. Ongoing
 - **Objective 2:** Continue to seek grants to offset the expansion of service cost. Ongoing
3. **Policy Goal:** Promote interconnected pedestrian and road network to reduce “bottle-neck” congestion on major thoroughfares.
 - **Objective 1:** Identify roadway connections to improve the street grid to reduce “bottle-neck” congestion, such as on South Crater Road and Exit 52. (Short Term: 0-5 Years)
 - **Objective 2:** Conduct a public “Walkability Charrette” and create a conceptual framework for future walkable places. (Short Term: 0-5 Years)
 - **Objective 3:** Install traffic lights at the appropriate intersections to manage the flow during peak hours. Ongoing
 - **Objective 4:** Review and consider adopting all existing pedestrian plans. (Short Term: 0-5 Years)

Utilities

The Department of Public Utilities owns and maintains the lines which provide water and sewer services to houses, businesses and industries. These utility services are a vital function for the economic vitality and overall health of the residents of Petersburg. The extension of new services enables new housing, commercial, and industrial growth. Reliable existing service to older neighborhoods is important to encourage revitalization efforts.

The Capital Improvement Program (CIP) acknowledges these maintenance needs and has earmarked \$500,000 for investment in the aging infrastructure to prevent failure in the system. In addition, Petersburg has emergency plans for water service to come from Prince George County in the event of a system failure. Several lines in the current system have undergone repair and more are scheduled so that a failure in the system does not occur.

The management of water resources and the treatment of sewage are also important for the environment. Water service and sewage flows affect not just the water levels of Lake Chesdin and the water quality of the Appomattox River, but also the ecological health of the Chesapeake Bay.

Water Service

Lake Chesdin, located west of Petersburg, was created in 1968 by damming the Appomattox River at Brasfield Dam (also called Lake Chesdin Dam). The dam and the reservoir it draws from is located in the Appomattox watershed at the political boundary of Chesterfield, Amelia, and Dinwiddie Counties. The crest of the dam is about 840 feet long, and the reservoir has a drainage area of about 1,333 square miles. In addition, a run-of-river hydroelectric facility is located at the dam, which involves power generation whenever the flow over the spillway exceeds 250 cubic feet per second.

This dam and its reservoir is the primary Source of water for the City. In addition to providing recreation for boaters and fisherman, the reservoir has a volume of 9.66 billion gallons and provides the capacity for 96 million gallons per day (mgd) of water to Petersburg, Colonial Heights, Dinwiddie, Prince George, and portions of Chesterfield County. The Appomattox River Water Authority (ARWA) is the regional public body which administers the water supply and is jointly owned by the localities it serves. The Petersburg is allocated 16.69% of the total 96 mgd capacity, which amounts to 16.02 mgd.

As the principal water supplier of the region, ARWA also issues recommendations regarding how localities can protect and preserve their water supply. In their most recent regional water supply plan (from October 2011), ARWA recommends that the City avoid development of conservation lands such as the Petersburg National Battlefield Park as well as designated wetlands, in order to avoid environmental harm as well as damage to cultural and historic resources. The plan also recommends avoiding development in 100 year floodplains (see Map 7-2) as doing so could lead to increased erosion and the scouring of embankments located in the floodplain, increasing the susceptibility of the region to elevated water levels during flooding. The regional water supply plan lists over-irrigation of lawns or crops and withdrawal of water by other users without proper permits as additional threats to

Petersburg's water supply. A map of Petersburg riparian buffers (also known as Resource Protection Area) are included on Map 7-20 and on the pages previous to it.

Petersburg also has an agreement with the Dinwiddie County Water Authority (DCWA) for them to provide water towards Fire Protection at Dominion Energy Locks Yard at 33 Rawlings Lane in the event that it is required. There are two groundwater wells in Petersburg, both of which are operated by Dogwood Trace Golf Course.

This Golf Course operated until 2003, at which time they used an average of 38,000 gallons per day. Dogwood Trace reopened in 2008, and the wells are currently being used to refill their main pumping lake when the amount of runoff water supplied by rain is insufficient to provide for the needs of watering the fairways at Dogwood Trace. In 2020 Dogwood Trace pumped 1,324,800 gallons out of both wells over a non-consecutive period of 8 days. Finally, there are 50 private wells operating within the city limits of Petersburg. These wells are located mainly in the areas that the City annexed from surrounding counties in 1973.

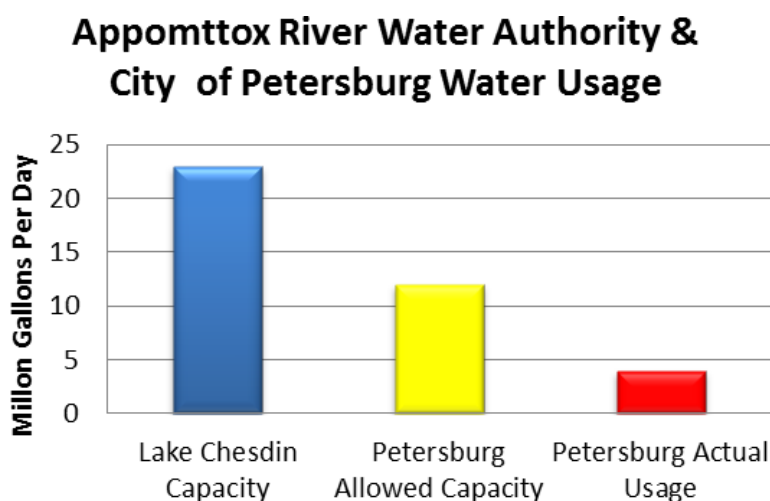


Figure 6-14: An illustration of Petersburg's allowed capacity from ARWA and the actual amount it uses - Source: South Central Wastewater Authority

Petersburg has contracts with Fort Lee, Virginia State University, Fort Hayes, and customers along Johnson Road in Prince George County for usage of Petersburg's share of water purchased from ARWA. Together they comprise about 15% of the demand for Petersburg's share of the water. Petersburg water usage is about 6 mgd and this represents service to about 12,000 customers, which includes the four users mentioned above who are not within the City limits.

The Department of Environmental Quality estimates only a 10-15% increase in water withdrawals in the City from now to 2040, which is markedly less than it estimates for surrounding localities. This is well below the 16.02 mgd allotment from ARWA. Even with the additional users and an independent engineer's projections for increased demand from population growth in Petersburg, the determination has been made in the most recent Regional Water Supply Plan that the City has sufficient water allowances from ARWA to last through the year 2060 and beyond.

ARWA and Petersburg Water Service Issues

Although Petersburg has enough water allotted to the City, the growth throughout the region will place strains on the regional water supply including Lake Chesdin and other regional water sources. According to supply and demand projections for the region, it is estimated that by 2033 there will be a shortfall in available supply. Part of the shortfall will be due to increased demands from population growth, particularly from cumulative over-irrigation of lawns or crops in the area and withdrawal of water by other users without the proper permits, while shrinking supply from sedimentation in Lake Chesdin will also play a role.

The Regional Water Supply Plan names a variety of options for increasing the supply of water, including ways to increase reservoir capacities, finding other sources of water, and instituting demand control ordinances. In addition, the City shall study the feasibility of accessing and/or creating a secondary source of water for emergency conditions in the region.

The Department of Public Works must address the age of the primary supply lines to the City. The 16 inch water supply line is about 100 years old and “highly tuberculate.” This means over time as the pipe has become corroded; tubercles have accumulated from minerals in the water reducing flow capacity and wearing away at the reliability of water service through the pipeline. The planning of rehabilitation and replacement of these lines are being done through the Capital Improvement Program (CIP), as required by the plan created for the Appomattox River Water Authority (ARWA). The additional resources have been identified through a small increase in the water bill and the capital improvement program. These improvements will allow an efficient operation at ARWA and an efficient manner of water delivery.

Sewer Service

The South Central Wastewater Authority (SCWWA) is a public entity jointly owned by the communities it serves: Petersburg, Colonial Heights, and portions of Chesterfield, Dinwiddie, and Prince George counties. Located in Petersburg on Pocahontas Island, SCWWA’s facility has the capacity to treat 23 million gallons per day (mgd) of sewage. It currently operates at half capacity. While SCWWA administers the treatment of sewage flows through its facilities, it is important to note that Petersburg is responsible for the maintenance of the collection system and sewage lines up to the gates of SCWWA’s treatment plant.

Each locality served by SCWWA is allocated a percentage of SCWWA’s flow capacity based on its percentage of ownership in SCWWA. Petersburg owns the largest share at 52.5% of the 23 mgd capacity but uses far less than what it is allowed. Graph 5.2 shows the comparison of total treatment capacity to actual flows from Petersburg.

South Central Wastewater Authority & City of Petersburg Capacity

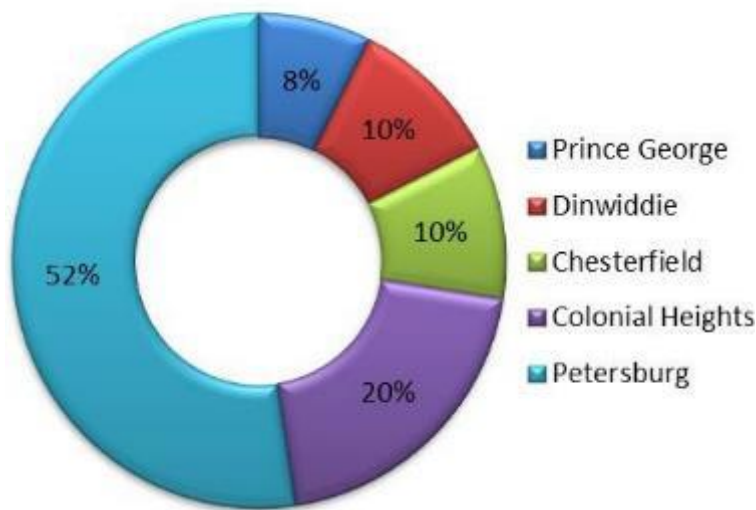
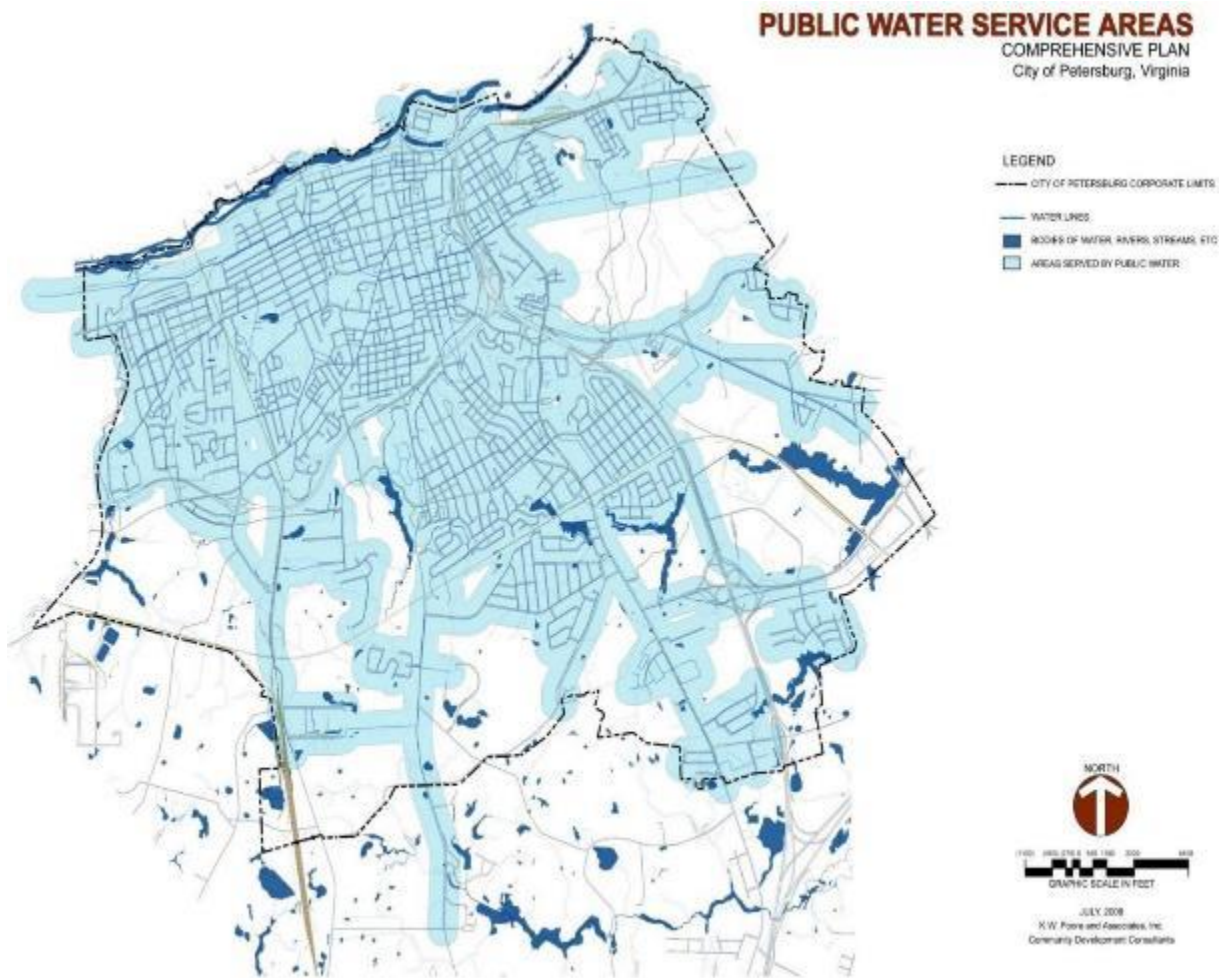


Figure 6-15: an illustration of Petersburg's share of capacity for the SCWWA - Source: South Central Wastewater Authority

SCWWA and Petersburg Wastewater Services Issues

While Petersburg has the luxury of more than enough sewer treatment capacity, unlike other localities located in the Chesapeake Bay watershed. The SCWWA is required under the Chesapeake Bay Agreement to comply with limits set on the amount of nitrogen and phosphorous nutrients discharged when treated water is released back into the Appomattox River under the Chesapeake Bay TMDL. SCWWA has already begun preparing to upgrade their facilities to meet this mandate and it is projected to be completed in 2024. Until these upgrades have completed construction, Petersburg and the other members of SCWWA will have to bear the cost of purchasing credits from other water and sewer authorities who are already in compliance and selling credits.

The cost of upgrading the SCWWA's facility to reduce nitrogen and phosphorous discharge is estimated to cost \$68 million dollars. A grant from the Water Quality Improvement Fund will reduce the cost to member localities, but Petersburg will be responsible for 52.5% of the final cost. Whether buying credits to stay compliant or financing the cost of the treatment upgrades, this project is a costly mandate to the City. City policymakers have already begun preparing for this expense and are assessing the feasibility of expanding water/sewer services to all areas of the City. This includes those areas which have been annexed and remain underserved by basic water and sewer services.



Map 6-10: This map displays Petersburg’s bodies of water (in dark blue) and the areas served by its water system (light blue).

Infrastructure Issues

1. **Policy Goal:** Create an infrastructure regional model for efficient and ecologically sound infrastructure.
 - **Objective 1:** Develop a plan for the City’s current and future “green” infrastructure. (Short Term: 0-5 Years)
 - **Objective 2:** Designate City resources toward creating urban “edible” parks, open spaces and creative spaces. (Short Term: 0-5 Years)
 - **Objective 3:** Create a Citywide master plan for greenways. (Short Term: 0-5 Years)
2. **Policy Goal:** Protect the City’s groundwater supply.
 - **Objective 1:** Conduct a Water Source protection assessment and develop an action plan to address needs, which may include a wellhead protection program. (Short

Term: 0-5 Years)

- **Objective 2:** Develop and maintain a database of all wells within the City. (Short Term: 0-5 Years)

- **Objective 5:** Follow ARWA's guidelines for protecting water supply. Ongoing

- **Objective 6:** Implement City backflow protection program. (Short Term: 0-5 Years)

- **Objective 7:** Take action on over-irrigation and reduce number of unpermitted water customers. (Short Term: 0-5 Years)

- **Objective 8:** Avoid development in Petersburg National Battlefield, 100-year floodplains, and wetlands areas. Ongoing

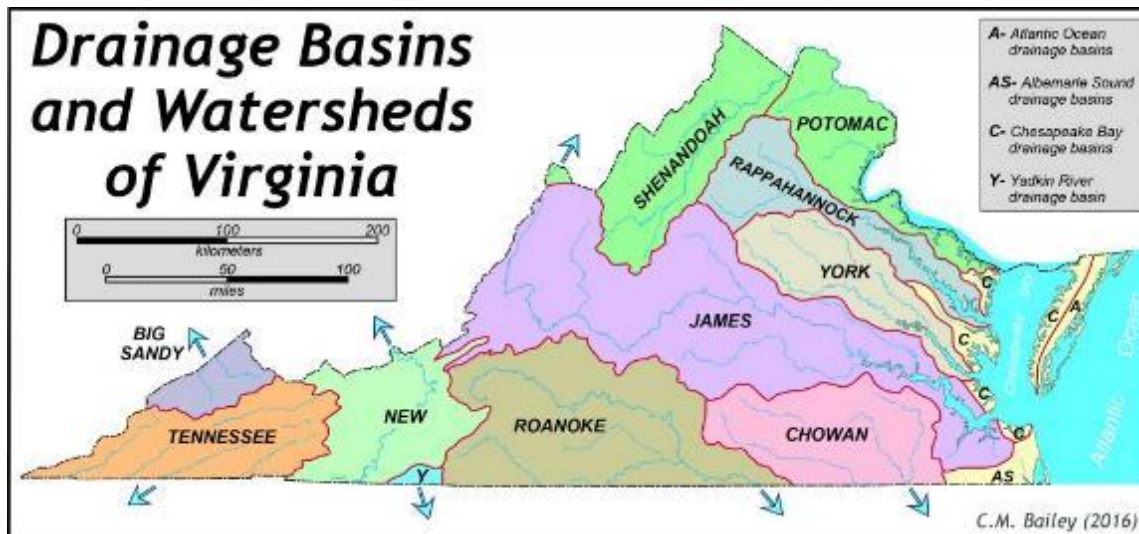
Environmental Features & Constraints to Development

A healthy environment impacts the health of the citizens and provides recreational opportunities in parks and along the Appomattox River. Opportunities for redevelopment along the Appomattox River and the harbor will require that Petersburg mitigate the environmental neglect which has caused pollution problems in the past. It is therefore important to understand how protecting the environment has implications for the health of citizens and the economic development of the City.

Protecting Petersburg's environment affects the quality of life of residents, attracts new investment, and can encourage redevelopment. Environmental stewardship is also important for the region and the localities that rely on environmental factors which encompass the entire region. Just as the water quality in Lake Chesdin affects the drinking water in Petersburg, so does the water quality of the Appomattox River affect the localities downstream along the James River and eventually the industries and residents of the Chesapeake Bay. Water quality is an important environmental factor for the region, and its maintenance and improvement is a challenge for Petersburg and under regulation by federal and state agencies.

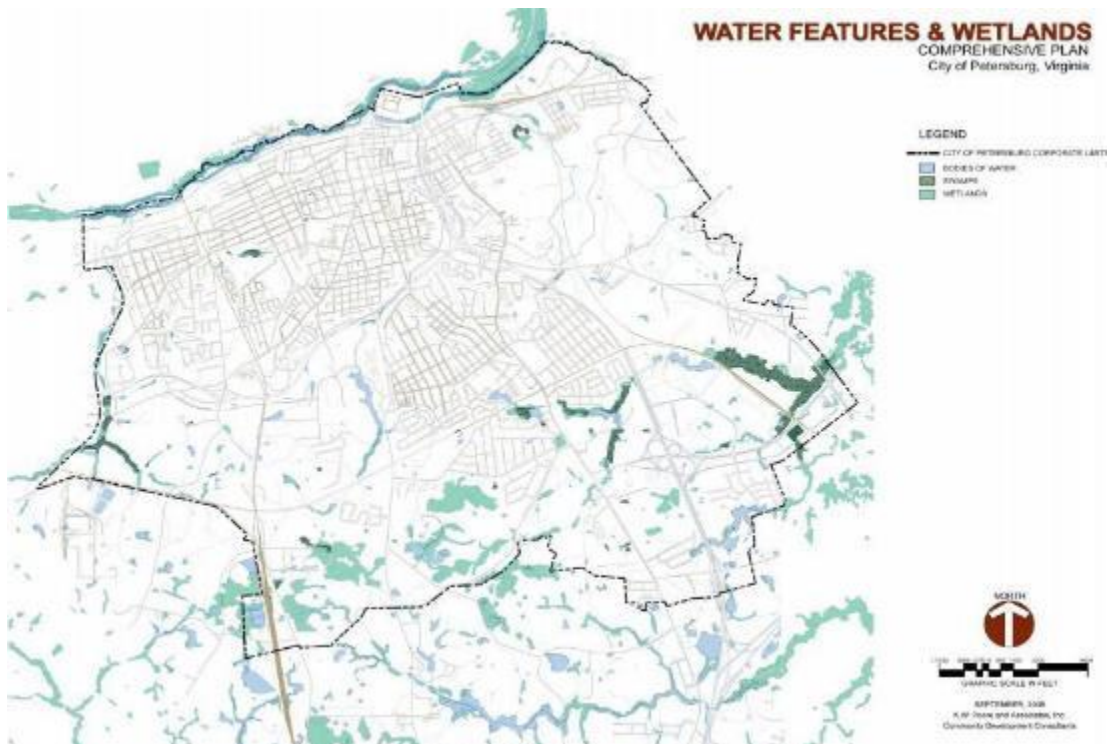
Surface Water & Groundwater Resources

The City is located in South Central Virginia, twenty-three miles south of the City of Richmond, 130 miles south of Washington D.C. and twenty-three miles west of the Chesapeake Bay. Petersburg is situated at the Falls of the Appomattox, on the boundary between the Tidewater and the Piedmont, between the Chesapeake and Albemarle basins. According to the US Census, the city has an area of 22.72 square miles of land and 0.22 square miles of water within its borders, with 4 miles bordering the Appomattox River and about a dozen major lakes. The majority of the City's wetlands can be found in and around these areas. Once the site of a great degree of volcanic activity, the City now sits upon a foundation of granite and other metamorphous rocks and sediments and is part of the Northern Atlantic Coastal Plain Aquifer System. While most of the city lies within the James River basin (which drains to the Chesapeake Bay), the southeast portion of the city lies within the Chowan River basin via the Blackwater River, which travels southeast down to North Carolina. Related Goals and Objectives are listed in the Infrastructure Plan element.



Map 7-1: River Basins of Virginia. Petersburg is split between the basins of the James and the Chowan

The City of Petersburg draws its water directly from ARWA's reservoir, purchasing an average of 148 million gallons of water monthly. This water is stored in six tanks throughout the city limits, which have an average height of fifty feet. This encapsulates all of Petersburg's demand for water, except for the fifty private wells and the well at Dogwood Trace; there are no isolated community water systems within the City. Although Petersburg has a zoning designation for agriculture, there are no agricultural water users in the City. To better protect the City's potable water supply, the City requires that backflow devices be installed and tested annually at locations and facilities that host potential cross-connections to pollutants and contaminants that pose a risk to the potable water supply. In an emergency, the director of Public Utilities may suspend water service to a facility that the City has deemed a danger to the potable water supply. Additionally, all wells within the City (public or private) with a diameter of six inches or more must be kept covered, and the City requires that wells must be filled prior to abandonment.



Map 7-2 - This map features designated wetlands in the Petersburg area as well as other waterways

Wetlands

Wetlands are some of the most ecologically vibrant habitats in the world and are comparable to rain forests and coral reefs in terms of the biodiversity found within them. They provide, among other benefits, fish and wildlife habitats, natural water quality improvement, flood storage, shoreline erosion protection, and opportunities for recreation and aesthetic appreciation. Preserving wetlands also goes a long way toward reducing flood damage, consequently protecting the safety of the City's citizens. Map 7-2 displays the City's wetlands.

These vibrant spaces also represent a constraint on Petersburg's economic development. Wetlands are to be considered in the development of water resources because construction of almost any type of water project could impact wetlands, either through the loss of wetlands or the change in wetland habitat. It is not as simple as offsetting the loss of water resources: even if a reservoir was created to offset the loss, that would still leave the animals and plants impacted without a habitat. Consequently, state law mandates that nontidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow to be designated as a component of Resource Protection Areas (RPAs) as part of the City's Chesapeake Bay Preservation program described on page 162.

Petersburg must therefore plan proactively for new development, preservation of open space, recreation, and environmental protection in ways that best suit the need of residents of Petersburg. Greenfields are a precious commodity in urban areas, and wetlands are an irreplaceable natural resource that the City must preserve for future generations. Additionally, it is in the long-term interests of the City and its residents to have an aesthetically pleasing and livable city with minimal ecological damage and disruption, as that creates an attractive environment for outside business and talented human capital.

Petersburg has both tidal and non-tidal wetlands. Tidal wetlands are located along the James River and its tributaries, such as the Appomattox. These are known as riverine wetlands and include all wetlands and deepwater habitats contained within a channel. Petersburg's riverine wetlands can be found along the Appomattox River on the city's north border and along Poor Creek in the southeast. Wetlands that are not located along a tidal waterway are known as palustrine wetlands. These are freshwater wetlands that consist either of trees and shrubs or grasses. As map 7-2 on page 122 displays, these are found all along the City's southern border. The City's wetlands will be covered in greater detail in the section on the Chesapeake Bay Preservation Act on page 162.

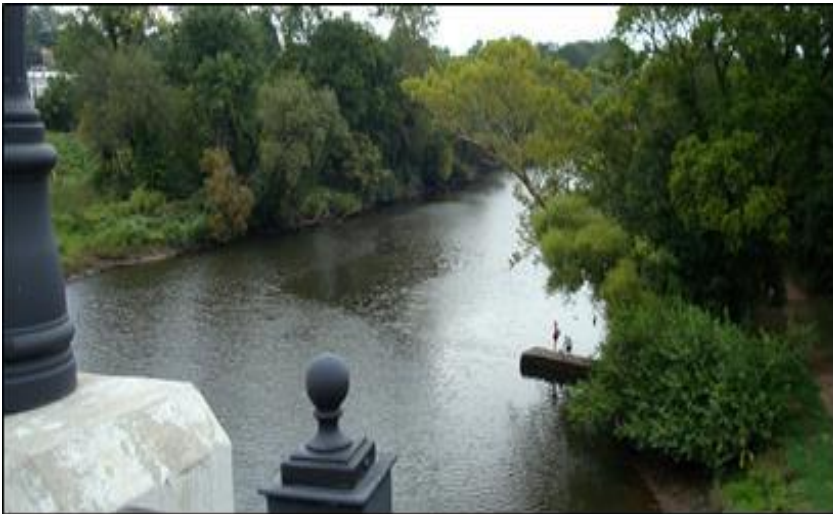
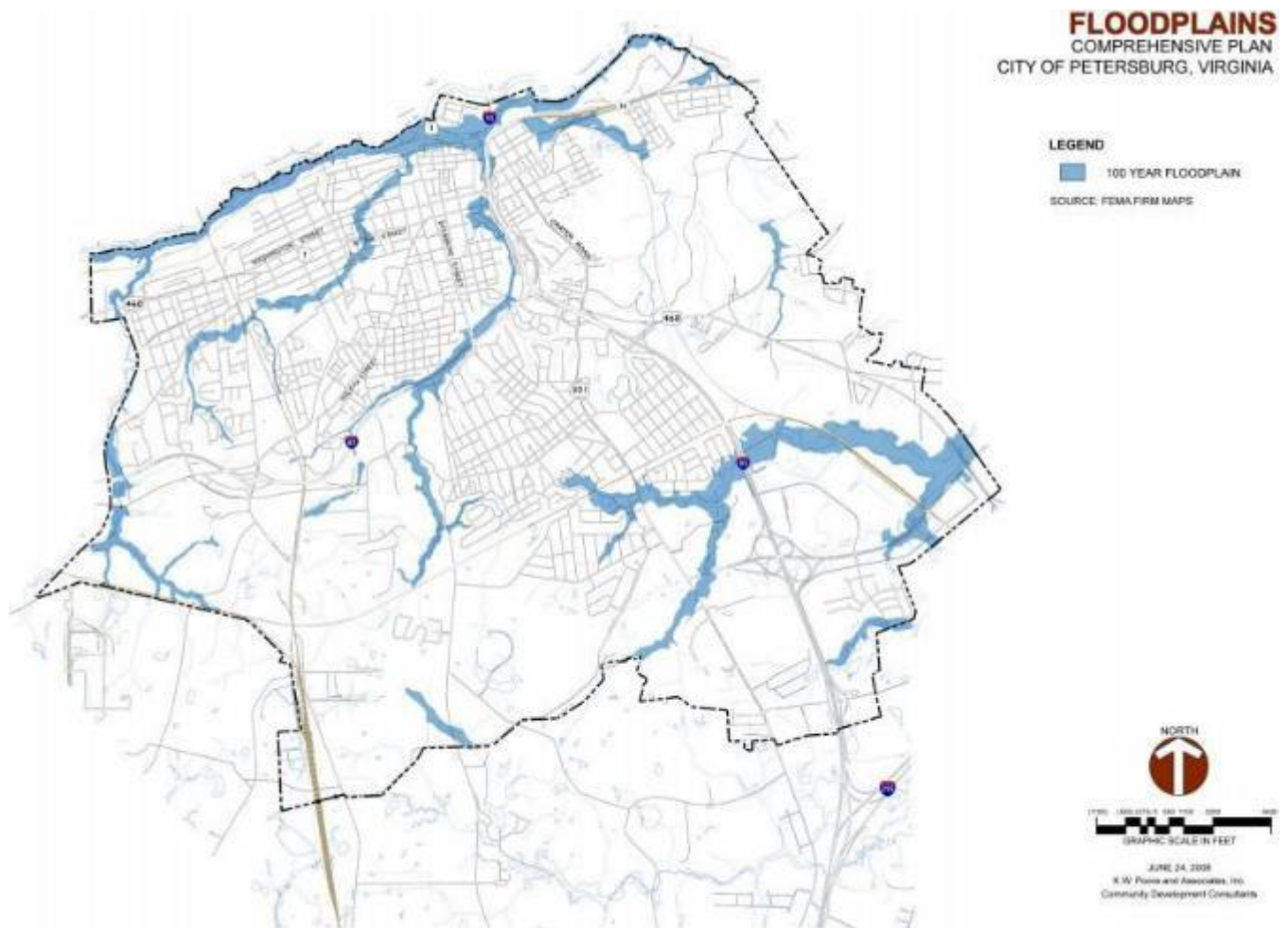


Figure 7-1: A view of the Appomattox from Martin Luther King, Jr. Bridge

Flood Plains

Like many communities bordering bodies of water, some of the land within the City of Petersburg is prone to flooding during extended heavy periods of rainfall and other adverse weather events. Map 7-3 denotes the so-called "100-year floodplains" that lie inside the City's borders. These 100-year floodplains are so named because there is a roughly one percent chance that the area will be flooded at some point over the course of a year. As one might expect, these floodplains are largely centered around where the City meets the Appomattox River, however there are also 100 year floodplains in the area running alongside a section of interstates 95 and 85, near a riverine running roughly parallel to the south of Washington Street in western Petersburg, in the area around Rohoic Creek on the border to Dinwiddie County, and finally in certain areas bordering the lakes that lie between Dogwood Trace Golf Course and County Drive in the southeastern section of the City.

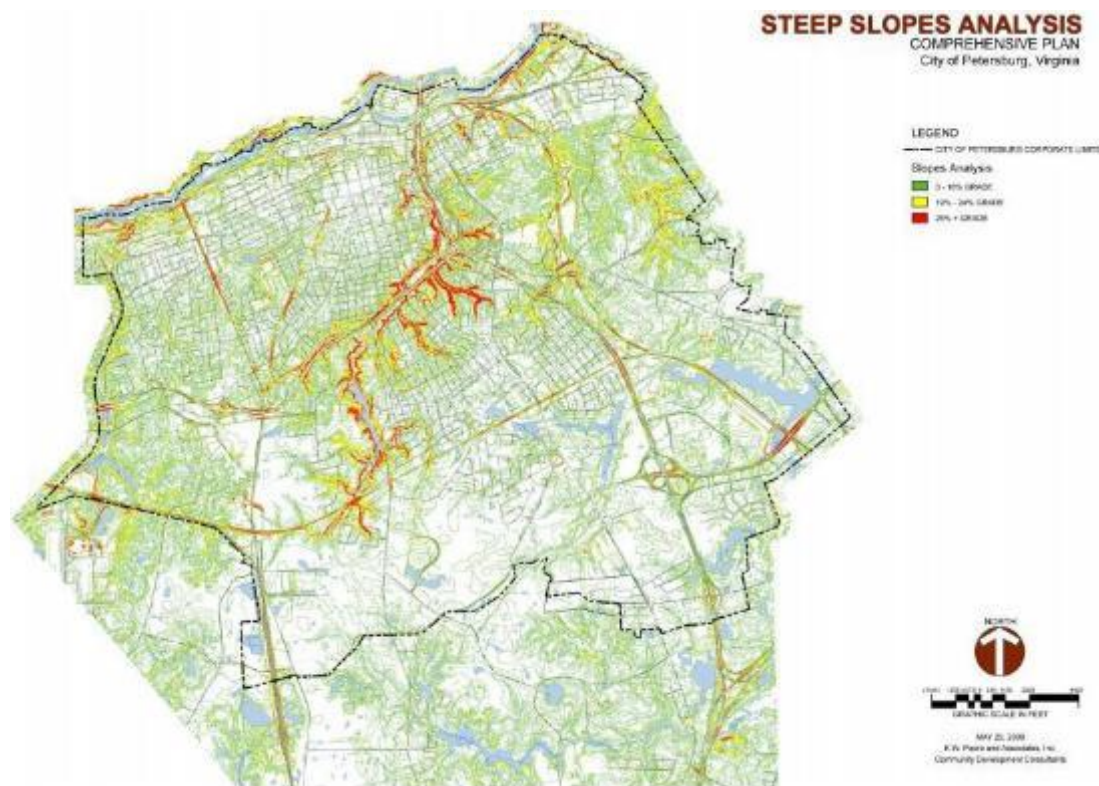


Map 7-3 This map displays the area of Petersburg in which there is a 1% chance of a flooding event per year

Knowing which areas of the City are susceptible to flooding is crucial for wisely planning future development. Having clear information on where flooding can be expected helps the property owners in the area who can take the proper steps to flood-proof their holdings, helps insurance agencies assess rates, and offers builders insight on potential building restrictions and standards. Petersburg's flood plains map indicates that the City should exercise caution in developing near wetlands and coastal areas and should consult the City's topography to ensure that the effects of development on the City's topography do not have a pernicious effect on extant flooding trends.

Slopes and Topography

A locality's topography is often as determinative of where its floodplains are as the location of bodies of water. This is because steep slopes tend to reduce the amount of infiltration of water into the ground. This water then either flows more quickly and in greater quantities into whatever river or creek is nearby, or it pools in low-lying areas. Both situations can lead to flooding. Map 7-4, pictured below, demonstrates this relationship – the floodplains running along the interstates, the Roanoke Creek floodplains near Dinwiddie County, and the floodplains along County drive are all in the vicinity of steep slopes, particularly the floodplains near the interstates.



Map 7.4: The map below displays the City topographically, with red denoting the most sloped areas - high-gradient areas can generate the greatest amount of runoff

As development occurs and indigenous vegetation is removed, there may be an increase in the velocity and volume of stormwater runoff, which can also lead to increases in erosion of the soil in the area, which could itself lead to an increase in the slopes or deepening of ravines adjacent to streams, potentially leading to a vicious cycle of escalating erosion. If properly utilized, however, sloped areas can serve as groundwater recharge areas and a provider of high-quality water to local waterways. As the preceding sentence demonstrates, however, improper development of sloped areas can lead to destruction of an area's scenic beauty of the area, decreased water quality, loss of sensitive habitats, fire hazards, high utility costs, lack of safe access for emergency vehicles, and high costs for maintenance of public improvements. With an average elevation of 134 feet above sea-level, Petersburg is somewhat low-lying, and responsible management of its sloped areas will be crucial to the City successfully managing its water supply and future development. Maintaining vegetation where possible, avoiding the excavation or undercutting of the load-bearing areas of slopes, being mindful of the weight put on slopes by development or by redirecting waterflow are all good ways for the City to avoid mismanaging sloped areas within the City limits.

Petersburg's Soil

Knowledge of a city's soil quality allows the City to plan for its development in various ways, determining erosion risks, potential wastewater issues, agricultural development, and many other uses. The Natural Resources Conservation Service (NCRS) identifies and maps over 20,000 different kinds of soil through a progressive taxonomy of order, suborder, great group, subgroup, family, and series. Most of the soil found in and around Petersburg are members of the *ultisol* order of soils. These are reddish, clay-rich, acidic soils that occur through the southeastern United States and

supports a mixed forest vegetation prior to cultivation. They are naturally suitable for forestry, can be made agriculturally productive with the application of lime and fertilizers, and are stable materials for construction projects.

Two related soil qualities that are both critical to the city's planning process are the ability of the soil to conduct water and its ability to absorb effluent from storage tanks. These two qualities are shown below in maps 7-5 and 7-6. The hydrological potential of the soil measures its potential to transmit water and air and has a pronounced effect on both a soil's ability to nurture and sustain life and the speed by which water (or waterborne pollutants) moves through the soil down to the water table or to surface waterways. It is not coincidental that the areas displaying the highest permeability correspond with the flood plains shown in Map 7-3. Knowledge of the hydrologic soil group on a property can help estimate runoff from storm events, which can be helpful in the evaluation of sites for certain types of conservation measures.

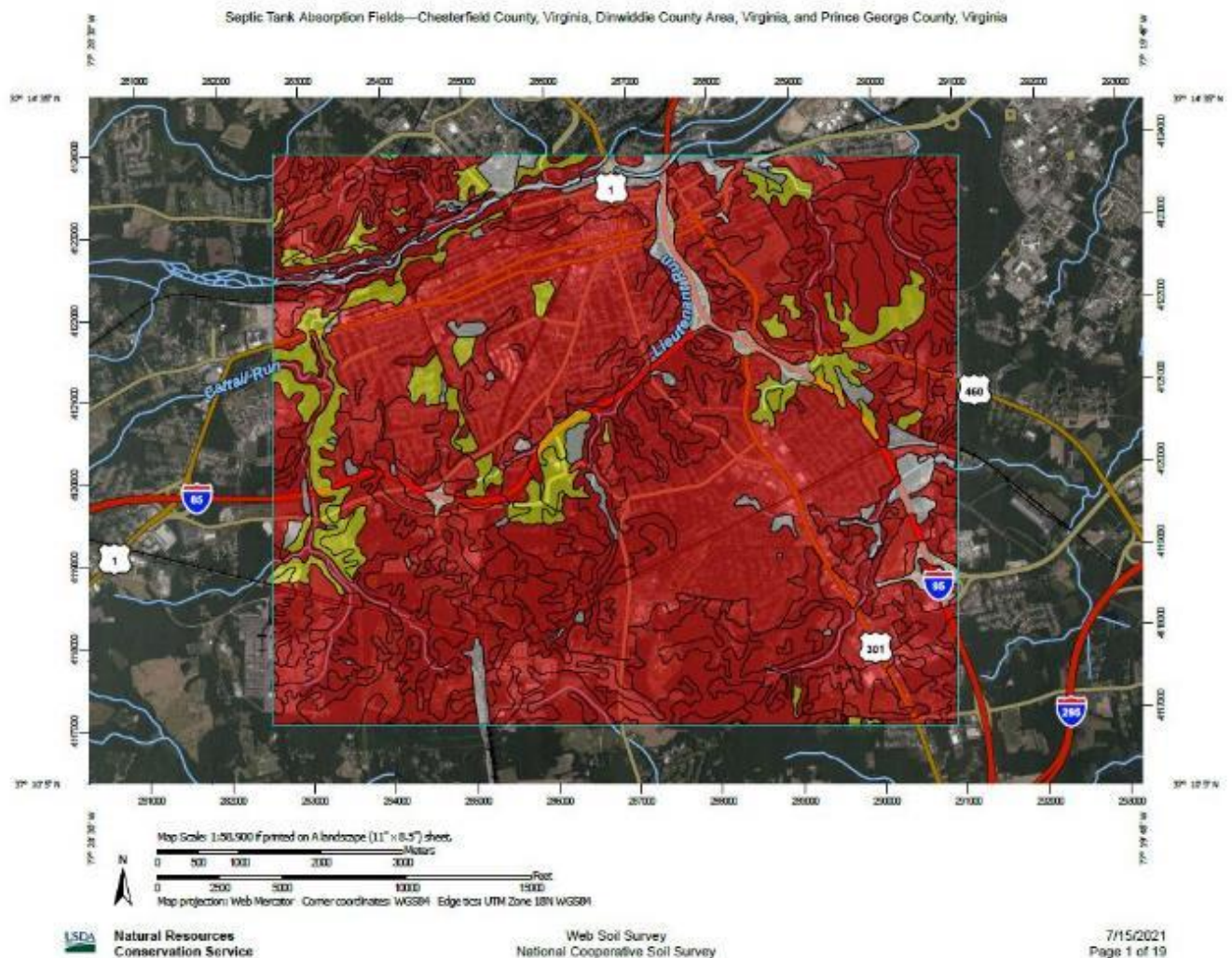


Map 7-5: Map showing the ability of the soil in the Greater Petersburg area to conduct water. Orange and red areas have the highest permeability, light green has the lowest. Note: Appomattox River is situated at the north side of the map, with Petersburg on the south bank

The ability to absorb effluent from septic tanks is an important quality for soil. Most septic systems distribute sewage effluent into the soil through absorption fields, a soil's failure to absorb effluent may result in the outflow from septic tanks in the area accumulating to an unhealthy degree,

leading to potential issues for the water supply. Map 7-6 shows the absorptive qualities of Petersburg's soil in this regard, which unsurprisingly corresponds roughly with the hydrology of the soil. Higher than average hydrology is also a good predictor of whether an area contains wetlands or not. While much of the soil is not ideally suited for

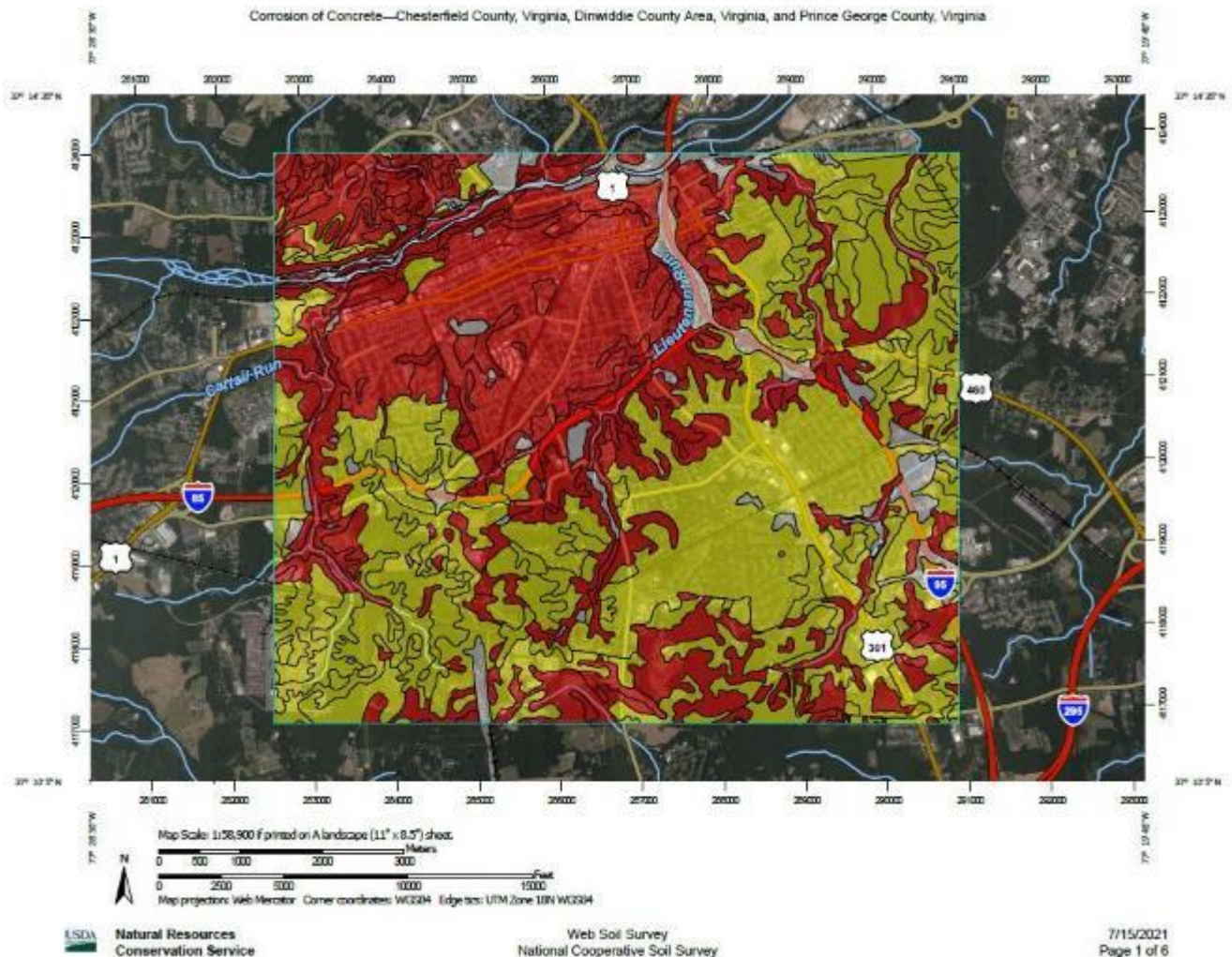
distributing effluent, this does not necessarily preclude the ability of septic systems to function. It does, however, highlight the importance of both the city and private landholders to have a site and soil survey performed by a licensed professional before commencing with development on a given site.



Map 7-6: Soil ability to absorb effluent from septic tanks. Red corresponds to a section of soil with a very limited ability to absorb effluent, yellow corresponds to sections of the soil with a somewhat limited ability to absorb effluent. Note: Appomattox River is situated at the north side of the map, with Petersburg on the south bank

Another soil metric that is useful to know before engaging in development is a soil's propensity to erode or degrade building materials such as concrete. Map 7-7 illustrates the risk of corrosion to concrete posed by soils throughout the Petersburg area. The rate of corrosion of concrete is based mainly on the sulfate and sodium content, texture, moisture content, and acidity of the soil. Special site examination and design may be needed if the combination of factors results in a severe hazard of

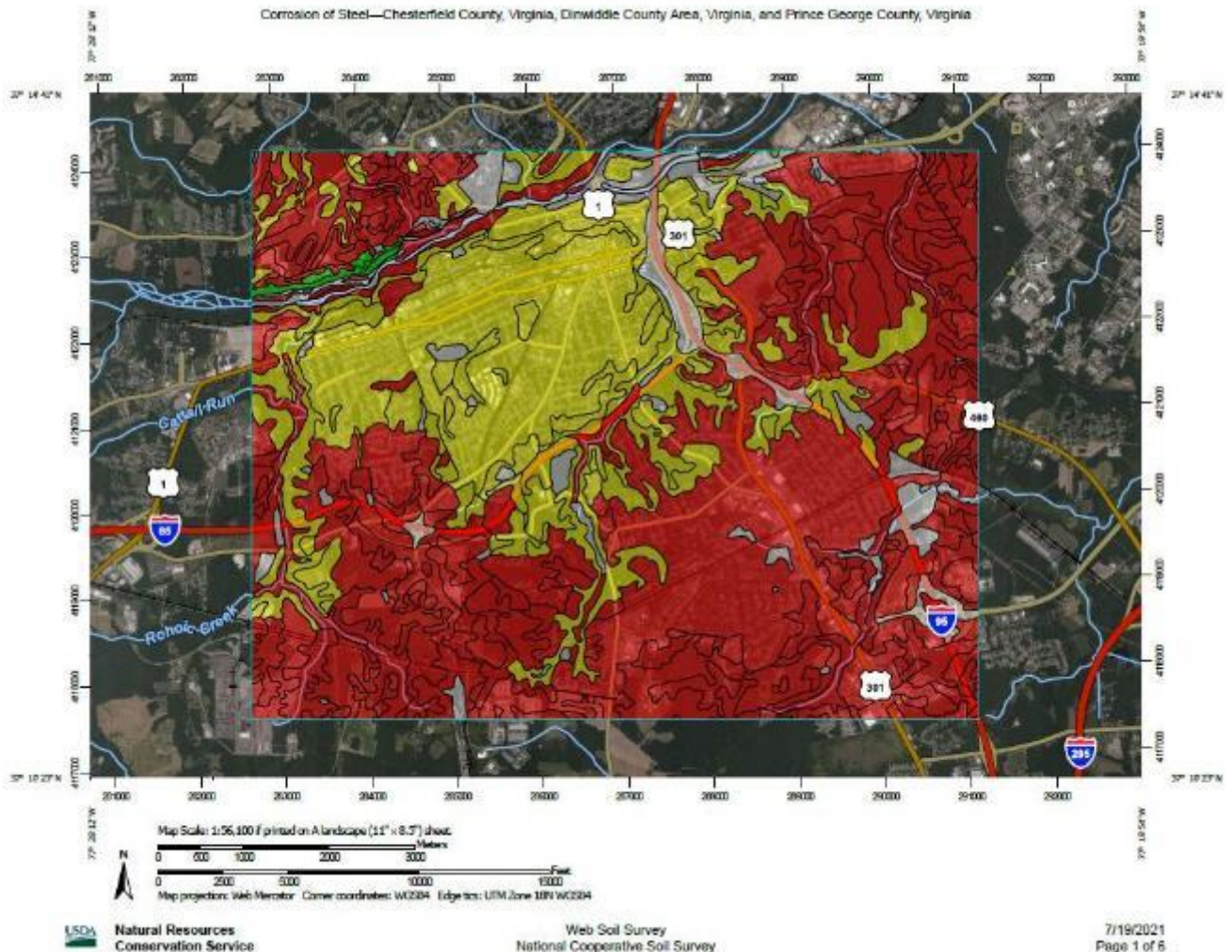
corrosion. The concrete in installations that intersect soil boundaries or soil layers is more susceptible to corrosion than the concrete in installations that are entirely within one kind of soil or within one soil layer. As this map demonstrates, much of the downtown lies on a foundation of soil that is rated as having a high corrosion potential for concrete, and the City must plan for an appropriately increased amount of maintenance and observation on the many buildings in the affected areas.



Map 7-7: Potential for soil in the Petersburg area to corrode concrete. Red denotes areas with soil that has a high risk of corroding concrete, while yellow denotes areas with soil has a medium risk of corroding concrete. Note: Appomattox River is situated at the north side of the map, with Petersburg on the south bank

Steel is another critical building material, and it is just as important to see the areas of the city where steel building materials may be compromised by long-term corrosion on behalf of the soil. The rate of corrosion of uncoated steel is related to such factors as soil moisture, particle-size distribution, acidity, and electrical conductivity of the soil. Much like concrete, the steel in installations that intersect soil boundaries or soil layers is more susceptible to corrosion than the steel in installations that are entirely within one kind of soil or within one soil layer. Map 7-8 displays the local soil's

potential for corroding steel. It is nearly a mirror image of the concrete corrosion map, with most of the high-risk areas for concrete being medium risk for steel and vice-versa. This demonstrates the diversity of concerns that accompanies any responsible plan for development.



Map 7-8: A map showing the local soil's potential for corroding steel building materials. Red denotes areas with soil that has a high risk of corroding steel, while yellow denotes areas with soil has a medium risk of corroding steel. Note: Appomattox River is situated at the north side of the map, with Petersburg on the south bank

Streambank and Shoreline Erosion

Out-of-control erosion can have a highly pernicious effect on the City's land and water resources if it is not properly monitored and curtailed. The dangers of erosion are many; farmers risk losing their topsoil (this is known as "sheet erosion"), with the subsequent formation of rills and gullies that can make the soil virtually impossible to cultivate. If the eroded soils contain pollutants, then this can further compromise the City's water quality as they make their way into waterways. Previously this report mentioned the vicious cycle of erosive activity and flooding that can occur in areas with steep slopes – erosion makes the slopes steeper, which makes an area more prone to flash flooding, which further

erodes the soil. The impacts of unchecked erosion can easily spiral out of control if left unmonitored and unchecked.

There are several types of erosion. Water erosion is largely from rain, though it effects areas that lie along waterways as well. Raindrops hit bare soil with enough force to break the soil aggregates, and these fragments wash into soil pores and prevent water from infiltrating the soil. Water then accumulates on the surface and increases runoff, which takes soil with it.

The vulnerability of soils to water erosion depends on:

- Rainfall intensity (erosivity) – high intensity rainfall creates serious risk as heavy drops on bare soil causes the soil surface to seal;
- Nature of the soil (erodibility) – clay soils vary in their ability to withstand raindrop impact;
- Slope length – if a slope is long, water running down the slope becomes deeper and moves faster, taking more soil with it;
- Slope steepness – the speed of runoff increases on steep slopes, which increases the power of water to break off and carry soil particles

Water erosion can particularly cause “rill erosion”, which occurs when runoff forms small channels as flow concentrates down a slope, creating rills that can be up to 0.3 meters deep. If this intensifies it becomes “gully erosion”, which is highly visible and affects soil productivity, restricts land use, and can damage roads, fences and buildings. The gullies formed by erosion are limited by the depth of the underlying rock so are normally less than 2 meters deep, but in the right circumstances can go as deep as ten or fifteen meters.

This can occur in reverse as well. When water penetrates through a soil crack or a hole where a root has decayed, the soil disperses and is carried away with the flow to leave a small tunnel, in what is called “tunnel erosion”. Initially, the surface soil remains relatively intact, but with every flow, the tunnel becomes larger, and the soil may eventually collapse and form a gully. The whole process speeds up significantly if an outlet is provided (such as an existing gully or cutting in a roadside) as this allows free flow of subsurface drainage water.

Finally, water erosion can take the form of streambank erosion, which is exacerbated by the destruction of vegetation on riverbanks and the removal of sand and gravel from the stream bed, which generally occurs by clearing, overgrazing, cultivation, vehicle traffic near banks, or fire. Streambank erosion can be further accelerated by lowering the stream bed or increasing the level of its bottom (often through increased runoff of soil, another potential vicious cycle of erosion), the redirection and acceleration of flow around infrastructure, obstructions or debris, and soil characteristics such as poor drainage or seams of readily erodible material within the bank profile. Map 7-9 below illustrates how susceptible each area of Petersburg is to water erosion.



Map 7-9: Water erosion potential in and around Petersburg, with orange and yellow denoting the least susceptible areas and blue representing the most susceptible areas Note: Appomattox River is situated at the north side of the map, with Petersburg on the south bank

As one might expect, many of the areas in Petersburg most susceptible to water erosion are in wetlands areas and near the City's various waterways, with a definite overlap between flood plains and areas prone to water erosion. One of the most reliable ways to mitigate water erosion is to maximize the amount of what is called surface cover. Surface cover is simply the vegetation (natural or planted) or man-made constructions (buildings, etc) which occur on the surface of the City's land. Cover which is permeable can absorb excess water runoff and therefore helps reduce erosion, while impermeable cover such as parking lots or concrete roofing can increase runoff since excess rainfall can't be absorbed into the ground on such surfaces. This is covered in greater detail in the Stormwater section. Trees are very helpful in preventing erosion, particularly on-stream banks, though if the soil is bare under a tree's canopy then erosion will still occur.

Erosion can be mitigated during development through such means as diverting upslope stormwater around any construction sites or other disturbed areas. Construction sites often displace large quantities of the area's soil, and if there are no provisions for diverting upslope stormwater then one good night's rainfall displacing tons of loose soil into the local waterways is a likely possibility. Another best practice is to install sediment barriers or turf buffer strips downslope of building sites to filter coarse sediments, and restricting vehicle access on the site to one (preferably graveled) access point. Finally, construction crews and developers can connect a temporary or permanent downpipe to a

stormwater system before laying the roof, and landscape all bare areas as soon as possible after construction is completed as a further means of reducing erosion during the point when the landscape is most vulnerable to such impacts.

In May 2021, the City performed an informal survey of erosive conditions in three different sites of the Appomattox riverbank at the recommendation of DEQ staff. These sites were differentiated by the level of vegetation listed on the Center for Coastal Resources Management's (CCRM) GIS tool. The locations of the sites are on Map 7-10 below. Site A, on the west side of Pocahontas Island was noted as having "partial vegetation" on the bank. Site B, under the I-95 bridge was right in between the area noted as having "partial vegetation" and an area of the riverbank noted as having "total vegetation". Site C was near an area the CCRM identified as having "total vegetation" on the bank. The City employee then proceeded to document any difference in evidence of riverbank erosion between these three sites.



Map 7-10: Map of the Sites visited as part of the erosion survey, Pocahontas Island lies at the center of the map. Colored lines denote height of the riverbank and amount of vegetative cover (Source: Google Maps)

SITE A

- Cracked, dry soil
- Exposed tree roots
- Severely overhanging riverbank
- Brown water with vegetation floating in the current



Figures 7-2, 7-3, 7-4. 7-5: Photographs taken at Site A

SITE B

- Flat “beachy” riverbank, some overhang
- Dry, sandy soil
- Some exposed roots



Figures 7-6, 7-7, 7-8: Photographs taken at Site B

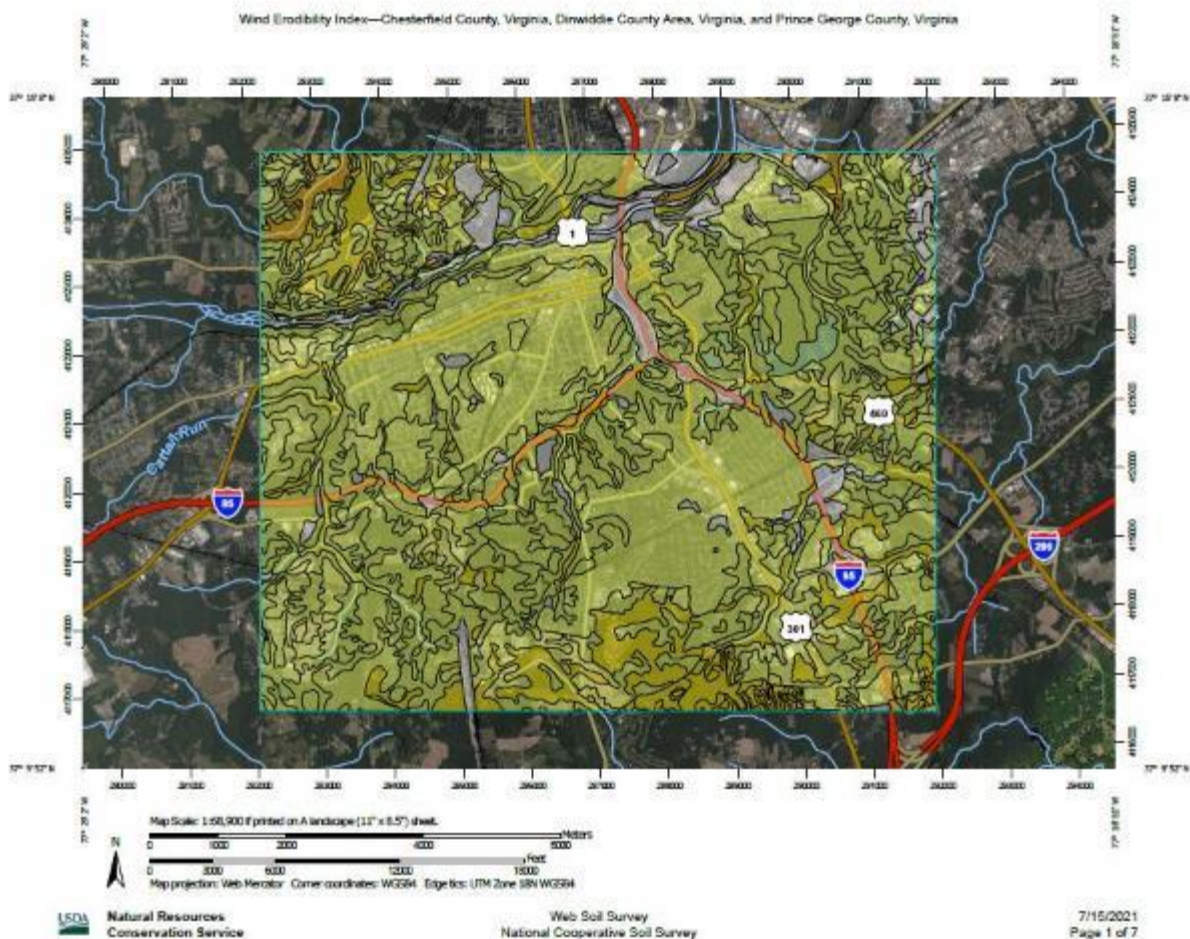
SITE C

- Greatly reduced riverbank overhang
- Moist, smooth soil
- Reduced grass and soil in water



Figures 7-9, 7-10, 7-11: Photographs taken at Site C

Wind erosion is a more significant problem in the more arid western United States, but it still exists to a degree in Petersburg. Wind erosion is most likely to occur when strong winds blow over light-textured and sandy soils. In areas where livestock cultivation is prevalent, this can be greatly exacerbated by overgrazing these lands, denuding them of the vegetative cover that would have spared the soil from the winds' effects. If left unchecked this can lead to scalding, a process that forms smooth bare areas on impermeable subsoils. These areas can be difficult to revegetate due to a lack of topsoil, low permeability, and an often-saline surface. Map 7-11 below shows the areas of Petersburg that are most and least susceptible to wind erosion.



Map 7-11: This map shows the potential for wind erosion in and around Petersburg. Dark yellow denotes areas that are the least susceptible to wind erosion, light yellow denotes areas that are mildly susceptible to wind erosion, and the green area near route 460 is the most susceptible region in the area to wind erosion. Note: Appomattox River is situated at the north side of the map, with Petersburg on the south bank

As map 7-11 makes clear, wind erosion in Petersburg is a secondary concern in the area compared to water erosion. Many of the same techniques that are effective for curtailing water erosion work just as well against wind erosion, particularly planting trees and maximizing vegetative cover on available surfaces.

Stormwater & Stormwater Management

As precipitation falls on agricultural and undeveloped areas, it is primarily absorbed into the ground or slowly runs off into streams, rivers, or other bodies of water. Stormwater runoff is the water that flows off roofs, driveways, parking lots, streets, and other hard surfaces during rainstorms. Stormwater runoff is also the rain that flows off grass surfaces and wooded areas that is not absorbed into the soil. The runoff that is not absorbed into the ground pours into ditches, culverts, catch basins and storm sewers. It does not receive any treatment before entering the streams and lakes.

Paved surfaces can exacerbate this issue. Development resulting in rooftops and paved areas prevent water from being absorbed and create a faster rate of runoff. This development ~~on~~ causes localized flooding or other water quantity or quality issues. In addition, stormwater can carry harmful pollutants, cause flooding, erode topsoil, and stream banks and destroy habitats.

An additional concern is that runoff water can pick up and carry many ~~substances~~ that pollute water. Examples of common pollutants include fertilizers, pesticides, pet wastes, sediments, oils, salts, trace metals, grass clippings, leaves and litter. Polluted stormwater runoff can be generated anywhere people use or alter the land, such as farms, yards, roofs, driveways, construction sites, and roadways. The latter four of these is of particular importance.

Credible research by the Center for Watershed Protection has revealed a strong relationship between impervious cover (roofs, streets, parking lots, etc.) and various indicators of water quality in local streams. Studies have established that a link between impervious cover and stream condition typically shows that impacts to a stream fall into four general categories: hydrologic impacts, geomorphic impacts, water quality impacts, and biological impacts. More specifically, when natural land is converted into impervious cover, a greater fraction of annual rainfall is converted into surface water runoff and a smaller volume is able to infiltrate into the soil and recharge groundwater aquifers. This increased surface runoff volume causes higher peak flows that can erode stream channels and lower the baseflow of local waterways, resulting in habitat degradation.

As the previous section mentioned, surface water runoff also carries pollutants that often originate from the areas of impermeable cover which further degrade water quality. In order to reduce the amount of impervious cover, the City has mandated that the use of pervious surfaces such as grid and modular pavements be used for any required parking area, alley, or other low traffic driveway, unless otherwise approved by the City's Director of Public Works. Additionally, the city requires all non-disabled parking spaces be built to a maximum of 9' x 18', or 162 square feet.

Stormwater runoff needs to be managed just as any other natural resource in order to maintain the quality of Petersburg's natural watercourses as drinking water supplies and for recreational activities such as swimming, fishing, boating, and water skiing, etc. Stormwater also needs to be managed to minimize damages that may occur when stormwater runoff exceeds the capacity of the pipes and open channels used to carry stormwater to the City's rivers and streams.

Historically, Petersburg has performed maintenance of the stormwater collection system, which includes cleaning, repair, and replacement of the City's stormwater infrastructure; however, in 2014 the City was designated a Phase II Municipal Separate Storm Sewer System (MS4) by the Virginia Department of Environmental Quality. This designation was also given to other Virginia localities of similar size having a storm sewer system that discharges – directly or indirectly – to a ~~point~~ river, bay, or other body of water. As a Phase II MS4, the City is responsible for stormwater discharges to receiving waters through an MS4 (VPDES) General Permit administered by DEQ. The permit requirements are very extensive, generally covering six (6) areas called Minimum Control Measures:

1. Public Education and Outreach
2. Public Involvement/Participation
3. Illicit Discharge Detection and Elimination
4. Construction Site Stormwater Runoff Control
5. Post-Construction Stormwater Management in new development and Development on Prior Developed Lands
6. Pollution Prevention/Good Housekeeping for Municipal Operations.

Also in 2014, the City passed a Stormwater Management Ordinance in compliance with state legislation mandating the establishment of a local stormwater management program. As part of its stormwater management program, the City operates and maintains drainage facilities that are located within the public right-of-way or public easements and is also responsible for the water quality of natural streams within its jurisdiction as designed by the State and EPA; however, it does not maintain facilities that are located on private property or that fall under the jurisdiction of other governmental jurisdictions.

The following illustrations in Figure 7-12 show some planned initiatives that will continue to enhance the City's stormwater management program.



Figure 7-12: Steps the City is taking to mitigate the effects of stormwater runoff

Nonpoint Source Pollution

Nonpoint source pollution is an issue throughout the James River Watershed and can have a significant impact on water quality. Previous sections have established the deleterious effect runoff can have on local water quality, and nonpoint source pollution is the specific expression of this phenomenon. It occurs when rain runs off farmland, city streets, construction sites, suburban lawns, roofs, and driveways and enters waterways. This runoff often contains harmful substances such as toxins, pathogens, excess nutrients, and sediments. It is called nonpoint source pollution because it does not come from a single source or point, such as a sewage treatment plant or an industrial discharge pipe, but from many diffuse sources.

There are four main forms of nonpoint source pollution: sediments, nutrients, toxic

- Sediments are soil particles carried by rainwater into streams, lakes, rivers, and bays. By volume, sediment is the greatest pollutant. It is caused mainly by erosion resulting from bare land, some farming practices, and construction and development.
- Nutrients are substances that help plants and animals live and grow. The main concern is excessive amounts of two nutrients: nitrogen and phosphorus.
- Toxic substances are chemicals that may cause human and wildlife health concerns. They include organic and
- inorganic chemicals, metals, pesticides, household chemicals, gasoline, motor oil, battery acid, roadway salt, and other pollutants.
- Pathogens are disease-causing microorganisms present in human and animal waste. Most pathogens are bacteria.



The net effect of land development is to increase pollutant export (more pollution and more movement) over pre-development levels. The impact of the higher export is felt not only on adjacent streams, but also on downstream receiving waters such as lakes, rivers, and estuaries. The impacts of the developed environment include sediment and nutrient loading, increased bacteria, increased oxygen demand, oil and grease pollution, trace metals, high levels of chlorides, and damaging thermal fluctuations.

Additionally, system failures and leakage events of wastewater from the sanitary sewer system impacts water quality by releasing untreated sewage containing microbial pathogens and toxins. Typical leakages or Sanitary Sewer Overflows (SSOs) occur during severe storm events when groundwater exceeding normal levels infiltrates the sanitary sewer system.

The potential impacts and costs associated with an increase of impervious cover on receiving waters, including tidal streams necessitates measures be taken to offset impacts. Researchers from various parts of the country have studied the impact of development on coastal areas and estuaries. Increased volumes of stormwater runoff may also have a physical effect on important wetland resources. According to the Impervious Cover Model (ICM), coastal/estuarine systems, such as shellfish beds and wetlands, have found increased degradation thresholds when impervious cover exceeds 10 percent. Decreases in water quality due to pollutant loading may have an adverse impact on valuable spawning habitat and on the ability of some fish to travel from sea to freshwater spawning grounds.

A progressive Capital Improvement Program is necessary to not only address current failures in the system but foresee future development needs and potential setbacks. Additionally, it will be important for the City to do its part for environmental stewardship and protecting the health of its citizens by enacting ordinances that mitigate the impact of development of the swamps and waterways through improved stormwater management.

Impaired Waterways

In response to requirements under the Federal Clean Water Act, the Virginia Department of Environmental Quality (DEQ) tests Virginia's rivers, lakes and tidal waters for pollutants on a regular basis, using both fixed-state (i.e., conventional) and probabilistic monitoring techniques. Over 130 different pollutants are monitored annually to determine whether the waters can be used for swimming, fishing and/or drinking (i.e., designated beneficial uses). Federal standards define the water quality needed to support each of these uses. If a body of water contains more contamination than allowed by water quality standards, it will not support one or more of its designated uses and has "impaired" water quality. Waters not meeting water quality standards are included in the biannual *305(b)/303(d) Water Quality Assessment Integrated Report*. The goal of the water quality assessment program is to determine whether Virginia's waterways meet water quality standards, and to establish a schedule for the restoration of impaired waters.

Like other communities in Virginia, most of Petersburg's waterways are included as impaired in the *Integrated Report*. Most impaired waterways require that DEQ develop a cleanup plan, or Total Maximum Daily Load (TMDL), representing the amount of a pollutant that the water body can contain and still meet water quality standards. To restore water quality, pollutant levels in an impaired waterway need to be reduced to the TMDL amount.

Following development of a TMDL, a cleanup plan describing the ways to reduce pollution levels in the waterway must be outlined. This plan is developed by the State with input from the local government and other interested stakeholders. The final step in the cleanup process is to implement the best management practices (BMPs) established in the plan.

Due to its location within the Chesapeake Bay's 64,000-acre watershed, Petersburg's waterways are also included in the Chesapeake Bay TMDL, established by EPA in 2010. The multi-state Chesapeake Bay Program, a regional partnership working together since 1983 to meet the goals of the Chesapeake Bay Watershed Agreement inclusive of federal and state agencies, local governments, non-profit organizations, and academic institutions, to restore the Chesapeake Bay. Signatories of the original Chesapeake Bay Agreement of 1983 included the governors of Virginia, Maryland, Pennsylvania, the mayor of the District of Columbia, the administrator of the U.S. Environmental Protection Agency (EPA), and the chair of the Chesapeake Bay Commission. In 2000, Delaware, New York, and West Virginia joined the partnership, and in 2010 the EPA established the Chesapeake Bay TMDL, setting limits on the amount of nutrients and sediment that can enter the Bay and its tidal rivers to meet water quality goals. Each of the seven Bay jurisdictions, including Virginia, has created Watershed Implementation Plans (WIPs) that spell out specific steps localities will take to meet these pollution reductions by 2025.

Watershed Implementation Plans (WIPs) are the roadmap for how the Bay jurisdictions, in partnership with federal and local governments, will achieve the Chesapeake Bay TMDL allocations. There are three phases of WIPs developed by the Bay jurisdictions. Phase I and Phase II WIPs were developed and submitted to EPA in 2010 and 2012, respectively. Both Phase I and Phase II WIPs describe actions and controls to be implemented by 2017 and 2025 to achieve applicable water quality standards. Phase III WIPs are based on a midpoint assessment of progress and scientific analyses. Phase III WIPs provide information on actions the Bay jurisdictions intend to implement between 2018 and 2025 to meet the Bay restoration goals.

Table 7-1 lists the City's waterways identified as being impaired in the *Final 2020 Virginia Water Quality Integrated Report*, the type of impairment, and the date EPA approved a TMDL for the applicable waterways. Impaired waterways are mapped on Map 7-13. As listed on Table 7-1, four TMDLs have been developed for waterways within or touching Petersburg's jurisdictional boundaries: two for the Appomattox and its tributaries, the Blackwater River and Blackwater Swamp. None of the TMDLs have had Implementation Plans developed. The Lower Appomattox River at the location of the WWTP is listed as Category 4A in the *Final 2020 Water Quality Assessment Integrated Report* due to low levels of dissolved oxygen. Waters designated as Category 5 indicate impaired waters requiring a total maximum daily load. The TMDL for the Appomattox River watershed regulates *E. Coli*. The SCWWA Wastewater Treatment Plant (WWTP) has received an annual *E. Coli* waste load allocation (WLA) through this TMDL and has remained in compliance with that WLA. The James River basin has 10 or more impaired segments in this watershed. Per DEQ, the sources of the impairment include atmospheric deposition of Nitrogen, clean sediments, industrial point source discharges, internal nutrient recycling, loss of riparian habitat, municipal point source discharges, and wet weather discharges.

pollutant threats on these waterways may include, but are not limited to, sediment, fertilizers, pesticides, herbicides, and toxic substance spills.

In April 2017, the Virginia Department of Health's (VDH) Office of Drinking Water stated that the nearest downstream raw water intake (Virginia American Water Company) is located approximately 10.6 miles from the discharge point of South-Central Wastewater Authority. This should be sufficient distance to minimize the impacts of the discharge. In May 2017, VDH's Division of Shellfish Sanitation (DSS) stated that the discharge will not affect shellfish growing waters.

During the 2018 and 2020 cycle, the Appomattox River Tidal Fresh (APPTF) segment failed the Open Water Dissolved Oxygen requirements. Likewise, during the 2018 and 2020 cycle, the APPTF failed the submerged aquatic vegetation acreage requirements, and the water clarity acreage remained impaired due to no new data. This deficiency in aquatic plant acreage stemmed from a variety of sources, from agricultural runoff to loss of riparian habitat, industrial point source discharge and sediment resuspension. Finally, as a city that is located within the James River Basin, Petersburg is a party to the impairment involving PCBs in Fish Tissue from contaminated sediments and other causes, the TMDL for which is scheduled to be completed in 2022.

Table 7-1: List of Impaired Waterways in Petersburg Area (Source: Department of Environmental Quality 2020 Integrated Report)

Waterbody Name	Impairment Category	Cause of Impairment	Probable Source(s) of Impairment	EPA Approved TMDL Date (if applicable) or
Appomattox River – Tidal Estuary	Aquatic life, open water aquatic life Shallow-water submerged aquatic vegetation	Dissolved Oxygen Aquatic plants (Macrophytes)	Agriculture; loss of riparian habitat; atmospheric deposition (nitrogen); municipal and industrial point source discharges; internal nutrient recycling; stormwater; CSOs Above, plus clean sediment resuspension and unknown sources	Chesapeake Bay TMDL 2010
Appomattox River	Recreation	E. Coli	Agriculture, nonpoint sources	2004
Appomattox River	Fish consumption	PCBs in fish tissue	Contaminated sediments, unknown sources	During the 2004 cycle, a VDH Fish Consumption Restriction was issued from the fall line to Flowerdew Hundred and the segment was adjusted slightly to match the restriction. In addition, in the 2004 cycle, the Chickahominy River from Walkers Dam to Diascund Creek was assessed as not supporting of the Fish Consumption Use because the DEQ screening value for PCBs was exceeded in 3 species during sampling in 2001. The VDH restriction was extended on 12/13/2004 to stretch from the I-95 bridge downstream to the Hampton Roads Bridge Tunnel
Ashton Creek	Aquatic life, SAV	Aquatic plants (Macrophytes)	Agriculture; loss of riparian habitat; atmospheric deposition (nitrogen); municipal and industrial point source discharges; industrial point source discharges; internal nutrient recycling; stormwater; CSOs; clean sediment resuspension and unknown sources	Chesapeake Bay TMDL 2010

Waterbody Name	Impairment Category	Cause of Impairment	Probable Source(s) of Impairment	EPA Approved TMDL Date (if applicable) or
Ashton Creek	Fish consumption	PCBs in Fish Tissue	Contaminated sediments, unknown sources	During the 2004 cycle, a VDH Fish Consumption Restriction was issued from the fall line to Flowerdew Hundred and the segment was adjusted slightly to match the restriction. In addition, in the 2004 cycle, the Chickahominy River from Walkers Dam to Diascund Creek was assessed as not supporting of the Fish Consumption Use because the DEQ screening value for PCBs was exceeded in 3 species during sampling in 2001. The VDH restriction was extended on 12/13/2004 to stretch from the I-95 bridge downstream to the Hampton Roads Bridge Tunnel
Blackwater River	Recreation	E. Coli, Total Fecal Coliform	Aging, leaking sewer lines, and runoff from commercial or industrial development in the vicinity	7/9/10
Blackwater Swamp	Recreation	E. Coli, Total Fecal Coliform	Aging, leaking sewer lines, and runoff from commercial or industrial development in the vicinity of the swamp	7/9/10
Cattail Run	Recreation	E. Coli	Agriculture, nonpoint sources	
James River and various tributaries	Fish consumption	PCBs in Fish Tissue	Contaminated sediments, unknown sources	During the 2004 cycle, a VDH Fish Consumption Restriction was issued from the fall line to Flowerdew Hundred and the segment was adjusted slightly to match the restriction. In addition, in the 2004 cycle, the Chickahominy River from Walkers Dam to Diascund Creek was assessed as not supporting of the Fish Consumption Use because the DEQ screening value for PCBs was exceeded in 3 species during sampling in 2001. The VDH restriction was extended on 12/13/2004 to stretch from the I-95 bridge downstream to the Hampton Roads Bridge Tunnel

Catalog of Existing and Potential Pollution Sources

Voluntary Remediation Program Successes

This Chapter has generally enumerated some of the harmful impacts that development in sensitive areas can have on the local region, but it is equally important to recount some of the specific instances of environmental damage in the Petersburg area, as well as the successful efforts the City, Commonwealth, and private sector have had in cleaning up these environmentally compromised properties. The Voluntary Remediation Program (VRP) encourages hazardous substance cleanups that might not otherwise take place. The VRP represents a way for site owners or operators to voluntarily address contamination sites with support from DEQ. The main objectives of the program are site redevelopment and enhanced environmental outcomes. The program is not intended to serve as an alternative to or refuge from applicable laws, just a means for site owners and operators to measure and redress damage that had taken place at the site in the past.

When remediation is properly completed, DEQ issues a Satisfactory Completion of Remediation certificate. This certification provides assurance that the remediated site will not become subject to DEQ enforcement action later, provided new issues are not discovered. The program eases the sale and reuse of industrial and commercial properties across Virginia, and participation in the program decreases potential environmental liabilities of reusing or further developing extant commercial properties and reduces the need for expanding commercial sites onto lands yet undeveloped. There are three VRP sites in Petersburg – the Titmus Optics building on Commerce Street and the Brenco Puddledock Road site both received certificates of completion, while the Columbia Gas site on North Madison Street is enrolled in the program.





Figures 7-13 & 7-14: The VRP site on Commerce Street, formerly the Titmus Optics factory. Half the site was converted into loft apartments in 2009 (right), and half remains vacant (left), though an attempt was made in 2015 to acquire the property, also to convert it into residential space

Edward Titmus, a Petersburg native, founded the Titmus Optical Company in 1908. At first a glasses and jewelry store with a small area for manufacturing lenses in the back, Mr. Titmus expanded in 1919 to the Commerce Street site and by 1927 had established a factory and gone into full-time manufacturing of eyewear products. Before World War I the international lens industry had been largely dominated by German manufacturers, but as war closed the traditional avenues of trade, the way stood open for individuals like Mr. Titmus and his employees to satisfy America's demand for glasses and lenses. By 1960, Mr. Titmus' factory employed 1,200 people and was one of the largest independent lens companies in the US, having expanded into frames, sunglasses, and vision testers. The good times would unfortunately not last. In 1974, control of the company fell out of the hands of the Titmus family, and into that of Carl Zeiss, the German optical firm, only later to be sold to French firm Bacou-Dalloz (now owned by Honeywell). With each new owner, the original

plant hemorrhaged workers, until finally in 1995 the City of Petersburg agreed to purchase the Commerce Street properties on the condition that Honeywell/Bacou-Dalloz would move to a new factory within Petersburg's City Limits. Though individuals in the Petersburg area continued to be employed in lens manufacturing, the former site of the largest American glasses factory south of New York was now abandoned.

Slow expansion of Titmus over decades resulted in the construction of a sprawling complex comprised of 24 interconnected one-, two- and three-story buildings, totaling approximately 208,000 square feet of floor space. Upon taking ownership in 1995, the City conducted an Environmental Site Assessment (ESA), which identified trichloroethene and its degradation products in the site's groundwater. A manmade chemical, trichloroethene is used as a solvent for various industrial and chemical uses. Once used as a sedative, it dulls neurochemical processes for eight hours upon inhalation (evaporating into the air at room temperature) and studies strongly suggest that long-term contact could have serious negative health effects, especially for pregnant women. A year later, the Titmus building was classified as site #00148 in the Commonwealth's Voluntary Remediation Program. After some more investigation the DEQ determined that the contamination of the site's groundwater did not present a danger to the surrounding water system and issued the Titmus building its first certificate of completion for the VRP on September 4th, 1996, under the condition that the

site's groundwater be strictly prohibited from use as drinking water.

In 2009, developers began to explore the possibility of converting sections of the Titmus building into loft apartments. Residential use naturally carried a higher bar for investigation of potential environmental dangers, and so the developers hired a firm to conduct an even more thorough investigation than had occurred nearly fifteen years previously. This survey discovered arsenic, silver, chromium, lead, naphthalene, and the previously detected trichloroethene in the soil at levels that were potentially harmful to human habitation. To mitigate the risk posed by these materials, DEQ mandated the installation of vapor mitigation systems that would prevent the dangerous materials in the air from accumulating to levels that would be hazardous for the building's residents. These devices were installed in early 2010, and on August 2011 the site received its second VRP certificate. Though half the factory remains abandoned, the loft apartments (pictured in figure 7-14) remain occupied into the present day.



Figure 7-15: The Brenco site at 1964 Puddledock Road.

Amsted Rail Company's Brenco Division has been operating in the Petersburg area since 1949. A manufacturer of railroad components, Brenco's presence in the City reflects Petersburg's historic importance as a hub of Virginia's rail lines. While the company's main property is at 2580 Frontage Road, the company also possesses a property at 1964 Puddledock Road that served as a manufacturing facility and warehouse, ceasing active operations in 1970 (though continuing to operate as a warehouse until the late 2000s). In 1994 Brenco contracted a consulting firm to determine the extent of any of the environmental damage of the site, which proceeded to discover quantities of lead, cadmium, barium, chromium, and other potentially harmful materials in the copious amounts of waste material stored at the site, though only lead was discovered in quantities exceeding the EPA's toxicity thresholds.

Brenco mitigated the lead contamination by mixing 20% to 25% Cement Kiln Dust (CKD) as a stabilizing agent to the lead contaminant waste material. To avoid any contamination to the groundwater during this process, the Puddledock site was dewatered through a series of wells specially built for this purpose, allowing the excavation of the waste material to proceed with

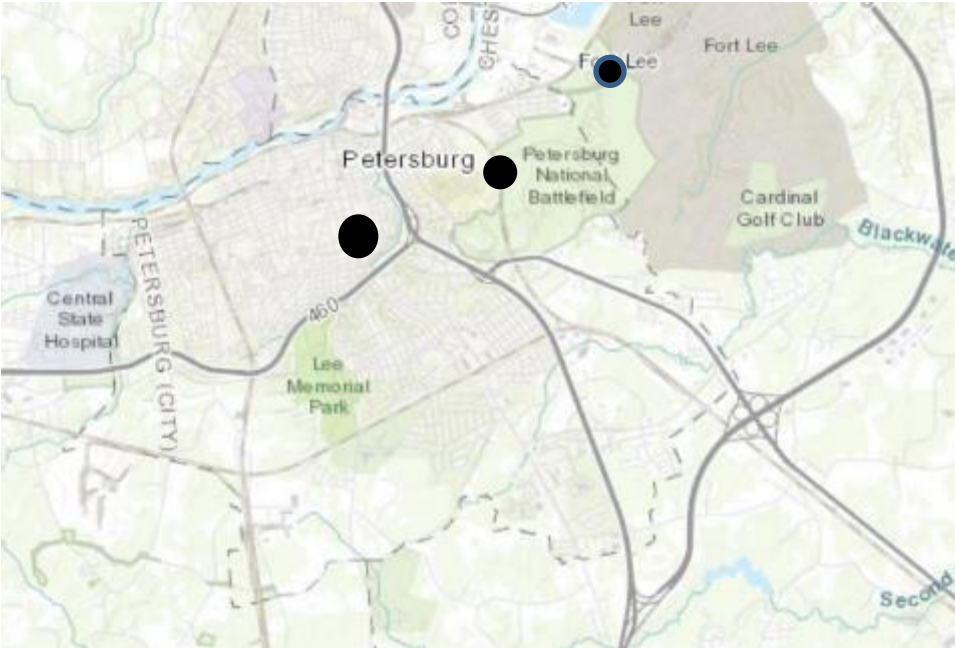
no danger of contamination of the surrounding area's water. The actual stabilization process was accomplished by loading the waste material into a front-loading hopper with a screening plant. The hopper then proceeded to feed the waste material into a channel belt conveyor, which removed large fragments of contaminant before feeding CKD onto the conveyor to neutralize the rest of the hazardous material. Using this process, Brenco utilized 12,766 tons of CKD to stabilize 62,078 tons of contaminated material, which was then sent to a nearby landfill. After the completion of this endeavor, the site received its VRP certificate from DEQ. Although Brenco still owns the property, it is not currently in use.



Figures 7-16 & 7-17: The Columbia Gas Company

Before natural gas became widely available through the interstate pipeline system, it was manufactured from coal and/or oil at a town gas plant in many communities. Petersburg's old gas plant fulfilled this role until approximately the mid-20th century, when new energy sources and improved natural gas infrastructure rendered the plant's business model obsolete. The old plant was later acquired by Columbia Gas. Columbia Gas has never operated the plant in its traditional capacity, but in 1993 they discovered that some residual contaminants of the old gas plant were affecting the environment. Further investigation revealed that the residuals from the former gas operations had affected soils and groundwater and there was seepage into adjacent Lieutenant Run.

Coal tar was the primary gas manufacturing byproduct of the old plant's industrial model. When the plant was in production, the tar was sold for use in roofing and in road tar. Once the plant closed, some tar was left on the property in underground structures. Over time, residual elements of this tar had leaked out of their containment and migrated as far as Bank Street, where they threatened underground utility lines such as gas, water, sewer, and communications cables. To counter this, Columbia Gas has since removed or cleaned gas plant residuals from underground structures, halted the seepage into the creek by excavation of affected bank material and placement of loose stone, and placed clean soil over portions of its property. Although these steps greatly lessened the danger the former plant posed to the groundwater, to receive full VRP certification Columbia must address sources of gas plant residues deeper in the subsurface, including under Bank Street, as there is a concern that this could prove a danger to utility workers conducting repairs.



Map 7-14: A map taken from the City’s GIS of sites that have received a certificate of completion from the Voluntary Remediation Program or which are currently enrolled. From west to east: The Titmus Factory, the Columbia Gas facility, the Brenco site on Puddledock road

Brownfields

Each of the successful remediation projects above began as a “brownfield.” A brownfield is defined as a site that has actual or perceived contamination and potential for redevelopment or reuse. In 2000, the EPA assessed City-owned brownfields on Commerce Street and High Street, eventually awarding the city a \$200,000 grant for revitalizing these areas. Since the initial announcement of this study in 2000, former industrial sites along Commerce Street (the Titmus building) and High Street (Seward Trunk Company) have been adaptively reused for loft apartments in concert with the revitalization of Downtown Petersburg. The Commerce Street Site’s success story was told in the previous section as it was also a VRP, but even after a tragic fire devastated much of the High Street structure in 2018, the area was mostly rebuilt and remains a popular destination for young renters in the City. Redevelopment of brownfields such as these improves the economic viability of the downtown and improves the environmental quality of the currently impaired Appomattox River.



Figure 7-18: An unrepaired section of fire damage to the High Street Lofts site stemming from the 2018 fire that left dozens homeless

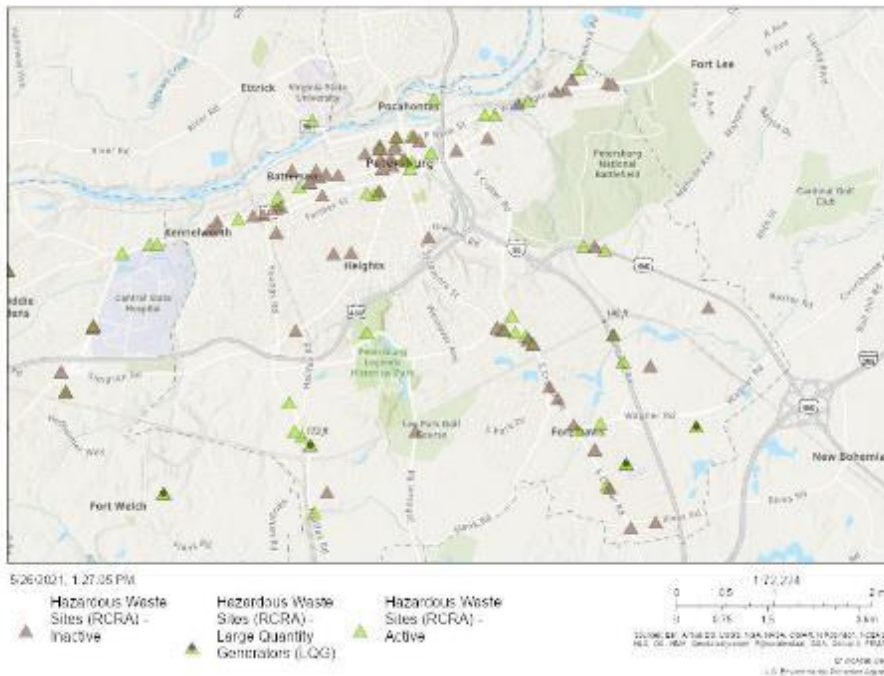
In 2010, the Petersburg area benefited from a \$300,000 Brownfield Job Training Grant to the Pathways-VA nonprofit, to assist the organization to train 64 students, place 45 graduates in environmental jobs, and track the graduates for one year. These students were recruited from unemployed and underemployed residents of the Petersburg area as well as veterans transitioning from the military stationed in Fort Lee Army Base. Working with partners such as the Crater Regional Workforce Investment Board, trade unions, and the City, Pathways-VA entered 85 participants in their program. Of these 85 individuals, 69 completed the training and 58 entered employment in fields such as hazardous material removal, occupational health, and protective services.

RCRA Sites & Superfund Sites

Federal law requires states to investigate and clean up hazardous chemicals that pose an unacceptable risk through the Resource Conservation and Recovery Act (RCRA), which typically targets industrial or hazardous waste facilities. Virginia's program is driven by aspirational goals announced in 2004 that were focused on meeting certain cleanup measures by the year 2020. These goals targeted achieving 95% completion of three important milestones:

- Human exposures under control
- Migration of contaminated groundwater under control
- Remedy construction

Current human exposures are under control at 100 percent of the 121 baseline facilities, which includes the 21 active RCRA sites in Petersburg. The U.S. Environmental Protection Agency has established a new 2030 Vision: Mission and Goals for the RCRA Corrective Action program. Corrective Action cleanups support healthy and sustainable communities, where people and the environment are protected from hazardous contamination. The inactive and active RCRA sites located in and around Petersburg are Map 7-15.



Map 7-15 - Hazardous Waste Sites in the Petersburg Area – The gray triangles represent inactive hazardous waste sites, the dark green triangles are Large Quantity Generators (LQG) of waste, generating over 2,200 pounds per calendar month. Light green triangles represent sites that generate less than 2,200 of hazardous waste per calendar month. According to the EPA, there is one LQG site within the Petersburg city limits, the Ampac Chemical site at 2820 Normandy Drive.

Superfund sites are federally designated areas of pollution that the EPA is empowered to clean up (or mandate that responsible parties do so) under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980. These contaminated areas are known as “Superfund” sites. There are 40,000 Superfund sites in the United States, but according to the EPA there are no Superfund sites in Petersburg.

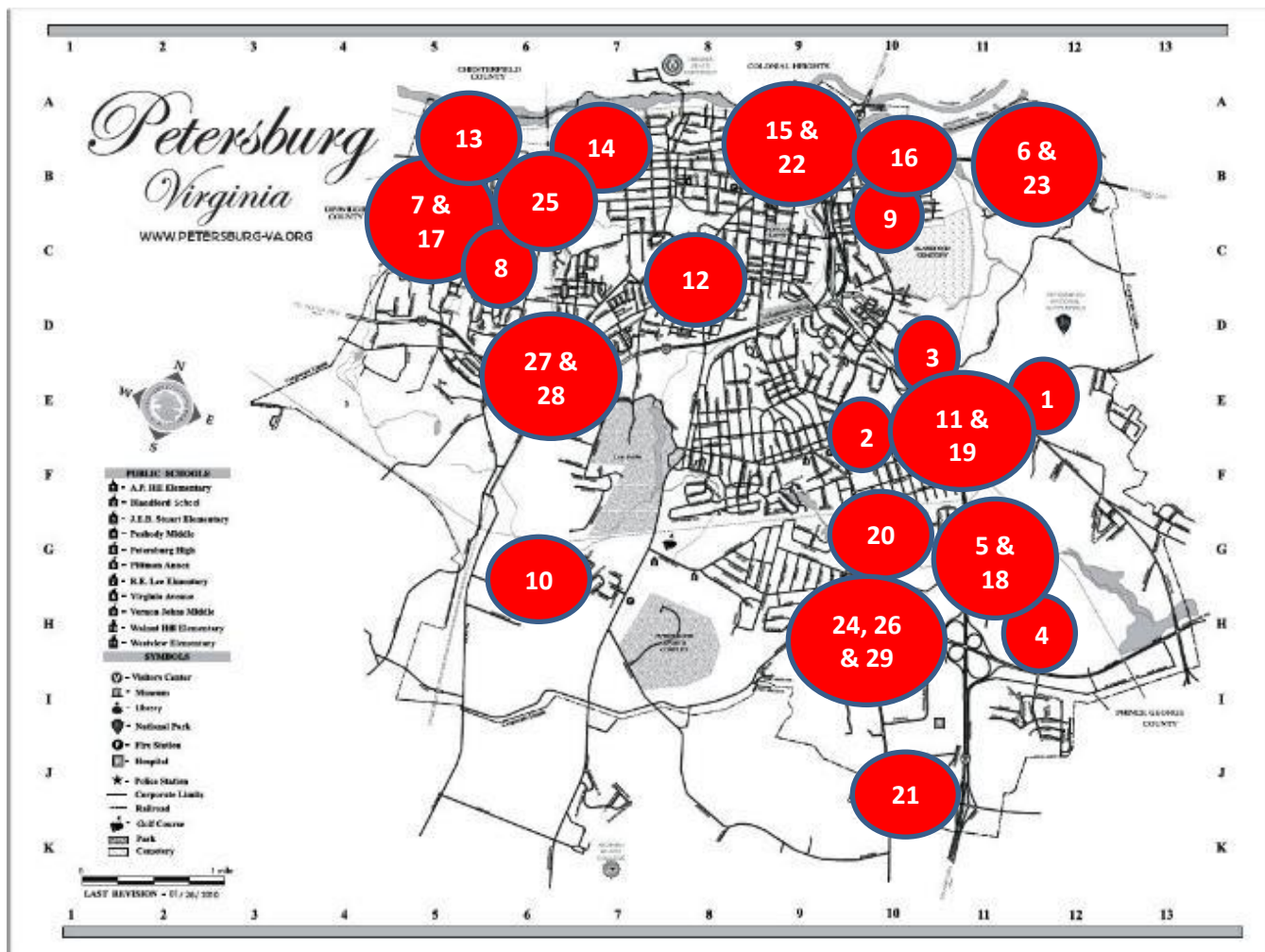
Potential Groundwater Contaminants – Storage Tanks and VPDES Sites

Above and underground storage tanks (USTs) can often contain substances that are hazardous to the local environment. Examples of the kind of chemicals sometimes found in storage tanks include petroleum, gasoline, diesel fuel, and acetone, and these are left unmonitored the chemicals stored inside the tanks can contaminate the groundwater.

If a storage tank is no longer being used, then the City and the tank’s owner takes the proper steps to fill it in with concrete or other substances which will nullify any chances of the tank leaking harmful substances into the surrounding area. This has happened numerous times in Petersburg’s history, and as of now there are 4 residential storage tanks and 29 commercial storage tanks within Petersburg’s city limits. The commercial storage tanks are detailed in table 7-2 below.

Table 7-2: Commercial Storage Tanks in the Petersburg Area

Number of Site	Name	Address	Business Type
1	460 Sunco	2127 County Dr.	Convenience Store
2	7 Eleven	225 S. Blvd.	Convenience Store
3	7 Eleven	701 S. Crater Rd.	Convenience Store
4	Ampac Fine Chemicals	2820 N. Normandy Dr.	Chemical Co.
5	Brenco	2580 Frontage Rd.	Plant
6	BP	1932 E. Washington St.	Convenience Store
7	City of Petersburg	309 Fairgrounds Rd	City Property
8	City of Petersburg	800 Arlington St.	City gas fill up
9	Exxon Food Mart	615 E Washington St.	Convenience Store
10	Infra-Metals Co.	1900 Bessemer Rd.	Plant
11	J&B Stores	2058 County Dr.	Convenience Store
12	Little Food Mart	908 Halifax St.	Convenience Store
13	LU & RO Atlantic Iron	30-B Mill Rd.	Salvage yard
14	Lucky's Convenience Store	1450 W. Wythe St.	Convenience Store
15	Market Place #1	110 W. Washington St.	Convenience Store
16	Market Place #2	1 S. Crater Rd.	Convenience Store
17	Midget Mart #12	1420 W. Washington St.	Convenience Store
18	Miller Mart	1200 Courthouse Rd.	Convenience Store
19	Mobile	2156 County Dr.	Convenience Store
20	Mobile Express II	2205 S. Crater Rd.	Convenience Store
21	New Dixie Mart #228	328 Rives Rd.	Convenience Store
22	Petersburg Deli	140 E. Washington St.	Convenience Store
23	Petersburg Food Mart	1500 E. Washington St.	Convenience Store
24	Petersburg Market Place	2706 S. Crater Rd.	Convenience Store
25	Russell Fence Co.	1639 W. Washington St.	Fence inst.
26	Sheetz	151 Wagner Rd.	Convenience Store
27	Town & Country #3 LLC	1908 Boydton Plank Rd.	Convenience Store
28	Velero	1740 Boydton Plank Rd.	Convenience Store
29	WaWa	3199 S. Crater Rd.	Convenience Store



Map 7-16: Displaying the city's commercial underground storage tanks –Numbers correspond to Table 7-2. Tanks that are too close together to show individually are represented by one dot with multiple numbers

The City's ordinance does not allow the storage of materials except those necessary for building maintenance in flood zones, preventing a potential source of pollution from stormwater runoff. The City is highly proactive in removing storage tanks upon request or when they present a potential liability, removing or filling in with concrete and/or foam 34 storage tanks over the last three decades.

The Clean Water Act of 1972 established the National Pollutant Discharge Elimination System, a program intended to limit the quantity of pollutants infiltrating the water supply of streams, rivers and bays all across the country. DEQ implements and administers this program as the Virginia Pollutant Discharge Elimination System (VPDES). The agency monitors all point source discharges to surface waters, dischargers of stormwater from Municipal Separate Storm Sewer Systems (MS4s), as well as dischargers of stormwater from industrial activities. These sites are shown on Map 7-17 on the page below.

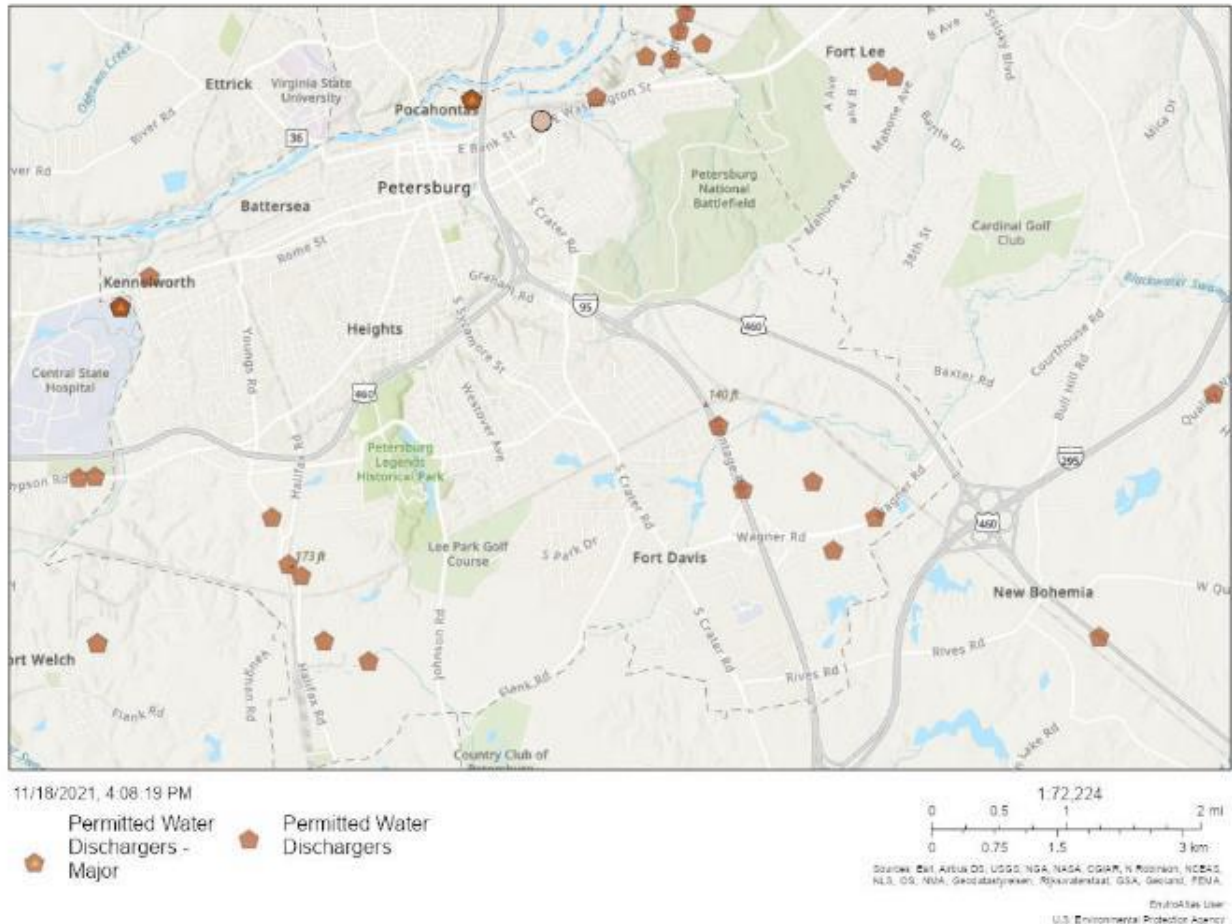
Point sources are generally given a classification based on the type of discharge and volume of their output:

- Major: Sewage with a design volume equal to or greater than 1.0 million gallons per day and

industrial discharges requiring EPA review

- Minor: Commercial, small industrial and sewage of less than 1.0 million gallons per day
- General: Typically, small volumes of low-potency pollutant

VPDES Sites



Map 7-17: VDPES sites in and around Petersburg. There are 15 minor dischargers and one major – the South Central Wastewater Authority Complex.

To better regulate potential point source pollution, DEQ issues individual permits to municipal and industrial facilities alike. These can be industrial sites, large gas stations, hospitals, water treatment facilities, large schools, or any number of other facilities that pose a documented or potential danger to the local environment. There is one major VPDES site within Petersburg’s city limits: the SCWWA facility. Minor VPDES sites within the city limits number fifteen in all. In May 2017, Department of Conservation & Recreation’s Division of Natural Heritage recommended the implementation of and strict adherence to applicable state and local erosion and sediment control/storm water management laws and regulations in order to minimize adverse impacts to the aquatic ecosystem. However, the SCWWA facility currently holds a “No Exposure Certification” for exclusion from Virginia Pollutant Discharge Elimination System (VPDES) permitting (effective through 6/29/2022). Therefore, the City anticipates that storm water runoff from this facility will not have an impact on in-stream water quality. In June 2017, the Virginia Department of Game & Inland Fisheries (DGIF) indicated that provided the applicant adheres to the permit conditions and the following recommendations, DGIF does not anticipate the

Figure 7-19: The city harbor in the 19th Century

Harbor Initiative

The City has long pursued the re-creation of a navigable harbor on the Appomattox. The process of dredging the river has uncovered hazardous materials that have halted the finished product of a harbor for many years. Currently, the Army Corps of Engineers is testing the viability of taking hazardous materials (primarily creosote) found in the riverbed, and the City has made a \$750,000 Community Project Fund request to the Federal Government for assistance in this project.



Appomattox River



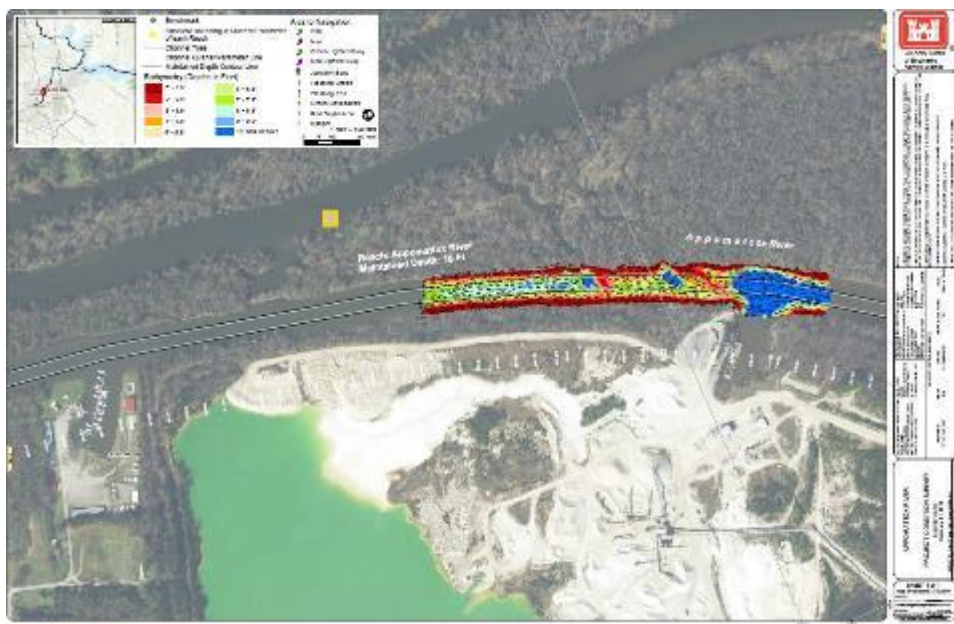
Figure 7-20: The proposed dredging zone of the



Figures 7-21 and 7-22: A view of the areas to be dredged

The discovery in 1991 of contaminated materials during Appomattox River dredging had created an environmental obstacle to the re-creation of the Petersburg Harbor and the process has been slow. The City of Petersburg and the Army Corps of Engineers are jointly reviewing possible sites for the dredged material. There are numerous challenges associated with placement of the material – it must be close enough to the site for easy pumping or truck hauling, it cannot have an impact on water treatment or sediment dewatering, and systems for air and water quality monitoring must be available. The city had found a suitable site for disposal of the dredged material but unfortunately the site's operators have run into issues with the permitting process which makes the site unsuitable until this is resolved.

It is estimated that an average 200,000 cubic yards of material stand to be recovered once dredging begins. The federal government has been consistently supportive, and the City can be reasonably confident that the dredging will occur in the not-too-distant future once a suitable site for disposal has been located and secured.



Map 7-19: A 2019 survey by the Army Corps of Engineers on the section of the river being dredged

Chesapeake Bay Preservation Program

In the 1970s the Chesapeake Bay reached a critical state of pollution, caused largely by runoff from industrialized areas that lie in its watershed. Much has been done throughout the Commonwealth to correct this trend, the most significant of which was the 1988 passage of the Chesapeake Bay Preservation Act, intended to minimize the negative

impact local communities have on the Bay's water quality. The Bay Act is based upon the premise that certain lands that are proximate to shorelines have intrinsic water quality value due to the ecological and biological processes they perform. Other lands have severe development constraints attributable to flooding, erosion, and soil limitations. With proper management, these lands offer

significant ecological benefits by providing water quality maintenance and pollution control, as well as flood and shoreline erosion control. Lands of particular sensitivity include, but are not limited to, floodplains, steep slopes, highly erodible soils, highly permeable soils, and hydric soils. These lands together need to be protected from destruction and damage to protect the quality of water in the bay and consequently the quality of life in the city and in the Commonwealth.



Figure 7-26: A view of the beautiful Appomattox River

The DEQ Local Government Assistance Program oversees the implementation of the Bay Act by localities required to identify environmentally sensitive features for protection and to incorporate performance criteria for development within those areas into local plans and ordinances. Petersburg is among the localities which drains to the Chesapeake Bay and has adopted a local Chesapeake Bay Preservation program which requires City staff to review land development proposals within designated Chesapeake Bay Preservation Areas (CBPAs) for compliance with local ordinances to ensure that “land disturbance is minimized, indigenous vegetation is preserved, and impervious cover is minimized,” among other performance criteria.

The City’s designated CBPAs include Resource Protection Areas (RPAs) and Resource Management Areas (RMAs). The RPA is the component of a Chesapeake Bay Preservation Area comprised of lands adjacent to water bodies with perennial flow that have an intrinsic water quality value due to the ecological processes they perform or are sensitive to impacts which may result in significant degradation to the quality of state or local waters. RPAs include tidal wetlands, tidal shores, nontidal wetlands (connected by surface flow and contiguous to tidal wetlands or to perennial streams) and a 100-foot-wide buffer adjacent to and landward of other RPA components. Within RPAs development is limited and requires local government review and approval.

The RMA is that component of the Chesapeake Bay Preservation Area that is not classified as the Resource Protection Area. The City’s Ordinance designates RMAs as areas lying 100 feet landward of and contiguous to the RPA and, in addition, any area consisting of the 100-year floodplain (areas with a 1% chance of flooding per year) and hydric soils adjacent to water bodies with perennial flow. City law dictates that if the boundaries of an RPA or RMA include a portion of a lot or parcel, the entire lot or parcel is designated as either RPA or RMA. Within the RMA, any use or activity permitted by zoning is allowed with local government review and approval.

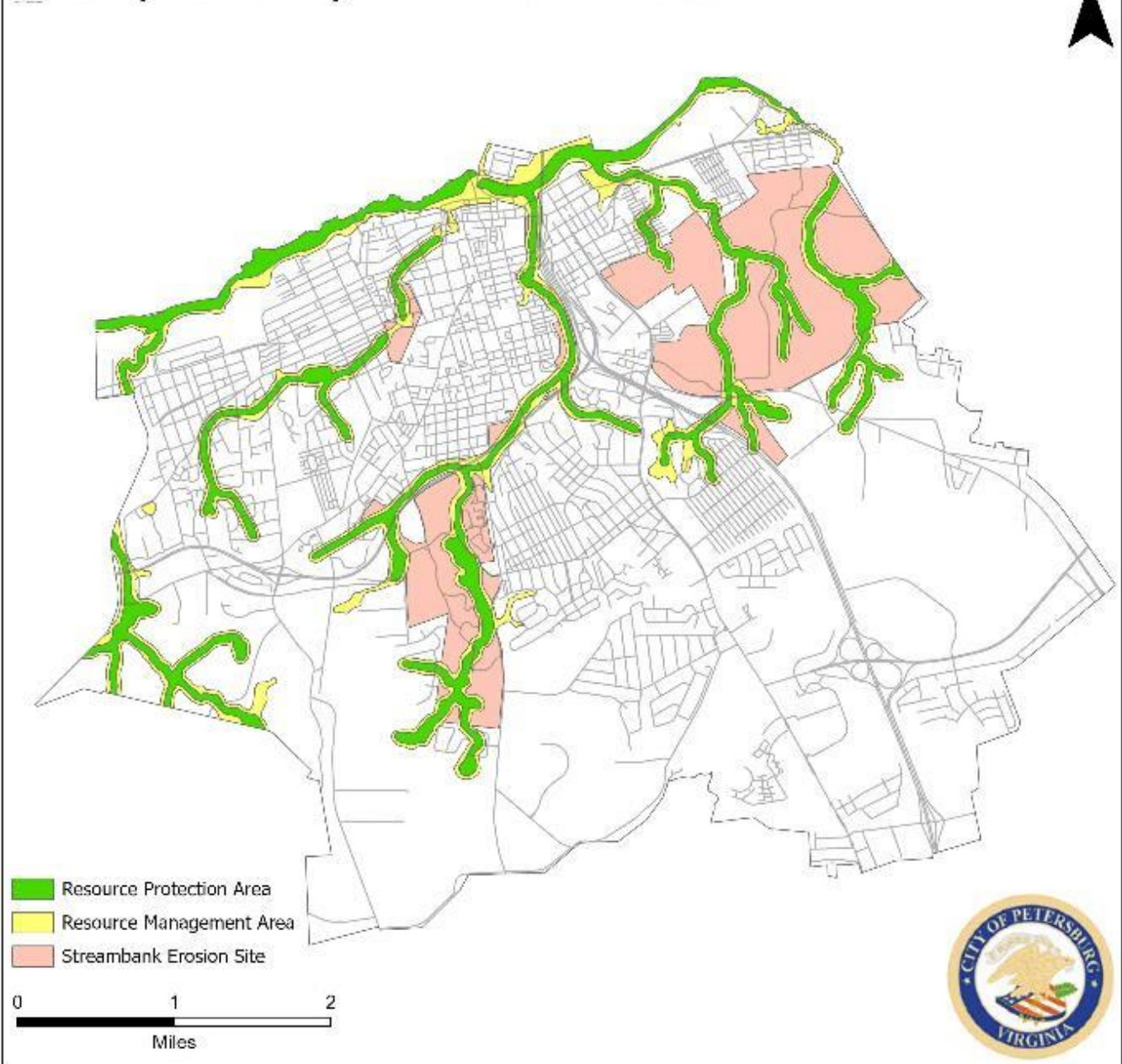
The Petersburg City Chesapeake Bay Preservation Ordinance limits development in the RPA to water-dependent uses, redevelopment, new principal structures and necessary utilities on parcels recorded prior to October 1, 1989, that have suffered a loss of buildable area, private roads and driveways, or regional flood control or stormwater management facilities. Also permitted are certain

exemptions, buffer encroachments or buffer modifications. Each of these uses, activities, or facilities can be approved under certain conditions through an administrative process overseen by the Director of Planning and the Director of Public Works. Other activities or structures proposed within the RPA require approval of an exception following a public hearing by the City Board of Zoning Appeals. Any land disturbance in the RPA requires approval of a site-specific determination of the CBPA boundaries at the time of development, a water quality impact assessment, and mitigation for the encroachment of the 100-foot buffer area elsewhere on the parcel.

Development within CBPAs, inclusive of the RMA and the RPA, is required to minimize land disturbance and impervious surfaces to that which is necessary for the proposed use or development, and to preserve indigenous vegetation to the extent practicable. In addition, compliance with the City's erosion and sediment control and stormwater management ordinances, and review through the plan of development review process is required for land disturbance exceeding 2,500 square feet. The plan of development review process requires approval of a site plan in accordance with the provisions of the zoning ordinance or a subdivision plat in accordance with the subdivision ordinance prior to any clearing or grading of the site or the issuance of a building permit to ensure compliance with all applicable requirements of the City's Chesapeake Bay Preservation ordinance. In addition to a site plan or subdivision plat the following items will be required:

- Environmental site assessment, inclusive of a site-specific CBPA determination
- Landscaping plan
- Stormwater management plan
- Erosion and sediment control plan
- Water quality impact assessment, inclusive of vegetative mitigation for the area of land disturbance within the RPA

Chesapeake Bay Preservation Area



Map 7-21 – City of Petersburg Designated Chesapeake Bay Preservation Areas

Environment and Water Quality Improvement Policy Goals

Policy Goal 1: Improve the environment and water quality within the City through the implementation of existing and development of new regulations, ordinances, and programs

- **Objective 1:** Adopt the Virginia C-PACE program to incentivize private development that utilizes environmental conservation techniques. (Short Term : 0-5 Years)
- **Objective 2:** Promote recycling by developing a post-consumer waste office paper purchasing policy in accordance with the Virginia Public Procurement Act for all County facilities, and by increasing private sector and public awareness of recycling opportunities. (Short Term : 0-5 Years)
- **Objective 3:** Review and update the Zoning ordinance to ensure it promotes best practices in environmental conservation for local businesses, as well as ensuring clear expectations for developing new businesses in targeted industries. (Short Term : 0-5 Years)
- **Objective 4:** Require submission of environmental inventories in order to protect environmentally sensitive lands. (Short Term : 0-5 Years)
- **Objective 5:** Develop specific recommendations for voluntary and regulatory means to protect resources identified in studies, such as the Regional Natural Areas Inventory. (Short Term : 0-5 Years)
- **Objective 6:** Continue to evaluate and update Ordinances and policies to promote the construction of homes, businesses, and public facilities that conserve energy and achieve other green building standards. (Ongoing)
- **Objective 7:** Continue to use sound science to update and create the requirements, standards, and specifications used to design, approve, and build BMP facilities the City. (Ongoing)

Stormwater and Physical Constraints to Development Policy Goals

Policy Goal 1: Review ordinances pertaining to stormwater management and erosion control ordinances to improve stormwater management and erosion control.

- **Objective 1:** Pronounce a moratorium on underground piping of streams. (Short Term : 0-5 Years)
- **Objective 2:** Avoid development in areas designated as 100-year flood plains (see Map 7-3) (Short Term : 0-5 Years)
- **Objective 3:** Utilize Water Quality Improvement Funds (WQF) to enhance or develop Best Management Practices (BMP) when addressing stormwater runoff in highly impervious areas of the City (Downtown, South Crater Road). (Ongoing)
- **Objective 4:** Restore degraded stream buffers by utilizing neighborhood organizations in planting programs, removal of pollution sources and invasive plants. (Mid Term : 5-

10 Years)

- **Objective 5:** Remove streams from underground pipes whenever possible to increase aquatic habitat, groundwater infiltration and flow rates, reduce water stagnation and improve environmental aesthetics. (Long-Term : More than 10 Years)

Catalog of Existing and Potential Pollutants Policy Goals

Policy Goal 1: Improve Water Quality

- **Objective 5:** Remove streams from underground pipes whenever possible to increase aquatic habitat, groundwater infiltration and flow rates, reduce water stagnation and improve environmental aesthetics. (Long-Term : More than 10 Years)
- **Objective 1: Adopt the Virginia C-PACE program to incentivize private development that utilizes** environmental conservation techniques. (Short-Term : 0-5 Years)
- **Objective 2:** Promote recycling by developing a post-consumer waste office paper purchasing policy in accordance with the Virginia Public Procurement Act for all County facilities, and by increasing private sector and public awareness of recycling opportunities. (Short-Term : 0-5 Years)
- **Objective 3:** Review and update the Zoning ordinance to ensure it promotes best practices in environmental conservation for local businesses, as well as ensuring clear expectations for developing new businesses in targeted industries. (Mid-Term : 5-10 Years)
- **Objective 4:** Require submission of environmental inventories in order to protect environmentally sensitive lands. (Mid-Term : 5-10 Years)
- **Objective 5:** Develop specific recommendations for voluntary and regulatory means to protect resources identified in studies, such as the Regional Natural Areas Inventory. (Mid-Term : 5-10 Years)
- **Objective 6:** Continue to evaluate and update Ordinances and policies to promote the construction of homes, businesses, and public facilities that conserve energy and achieve other green building standards. (Long-Term : More than 10 Years)
- **Objective 7:** Continue to use sound science to update and create the requirements, standards, and specifications used to design, approve, and build BMP facilities the City. (Long-Term : More than 10 Years)

Policy Goal 3: Further catalog the physical geography of Petersburg to better inform future planning and development decisions.

- **Objective 1:** Use GIS to conduct a full inventory of Petersburg's shorelines, compiling a comprehensive catalog of Petersburg's shoreline features, limited not just to RPAs and structures but also shoreline features such as riprap, bulk heads, and break waters. (Short Term : 0-5 Years)

- **Objective 2:** Continue to observe the erosion sites listed in the report on a biannual basis, taking photos and other measurements to document the progress of erosion or lack thereof. (Short Term : 0-5 Years)

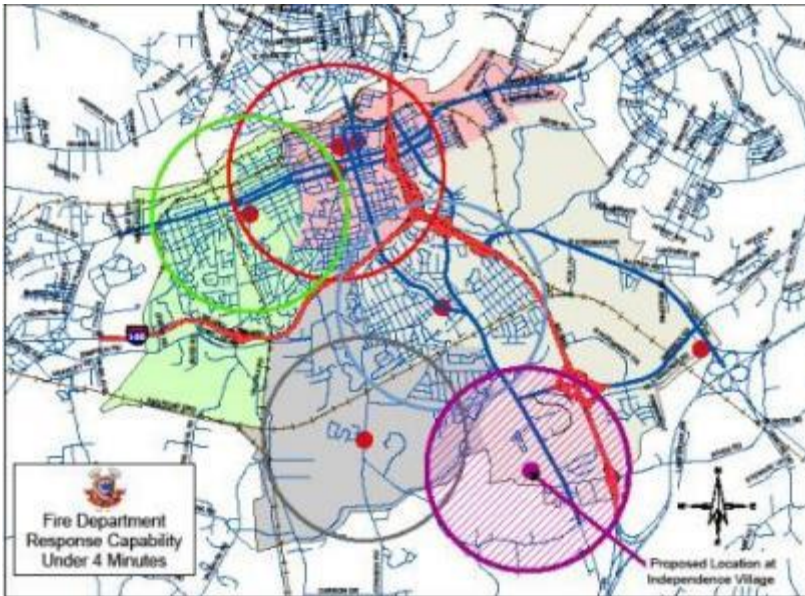
Chesapeake Bay Preservation Act Policy Goals:

Policy Goal 4: Bring the City to full adherence with the Chesapeake Bay Preservation Act

- **Objective 1:** Ensure all proposed projects (inclusive of building permits, site plans, and subdivision plats) located within designated CPBAs are reviewed for compliance with the City's Chesapeake Bay Preservation Program. (Short Term : 0-5 Years)
- **Objective 2:** Draft ordinance regarding the construction of private dock sites that are in compliance with the City's policy on wetlands and Chesapeake Bay Preservation program, as well as current state and federal environmental regulatory requirements. (Short Term : 0-5 Years)
- **Objective 3:** Develop a more detailed policy for coastal structures such as docks, piers, and other coastal development. (Short Term : 0-5 Years)
- **Objective 4:** Ensure that all RPAs possess a fully vegetated 100-foot riparian buffer, regenerating the vegetation in the area as needed. Re-establish riparian buffers whenever possible as development occurs. (Short Term : 0-5 Years)

Police

The Petersburg Police Department has recognized several trends in the City that will affect the distribution and expansion of the Police Force. Although the City has experienced a decline in population over the past ten years, the demands for police service did not shrink with it. The population losses over the past years were not the percentage of those in Petersburg who were the heaviest users of Police services, because there was no decrease in the demand for police services. Likewise, as the population in Petersburg is aging, it creates additional strain on the Police force. Older residents are less capable of taking a more active partnership role in community policing, yet still require the same level of police service. This means that shrinking population in the northern sections of the City do not equate to greater flexibility and an excess of personnel to address the growing population in the southern portion of the City. The Police Department has addressed the concern of the growth in the Southern portion of the City and strategically plans and schedules the officers to always maximize complete coverage of the City. The City has already begun planning and allocating resources to make the appropriate public investment to have additional substations and facilities to meet the demands of the City.



Map 8-1: An illustration of the 4-minute response capacity of each Petersburg Fire Dept. Station

Fire, Rescue & Emergency Services

The Petersburg Department of Fire, Rescue, and Emergency Services are a progressive, full-service fire department. Established in 1773, the department is rich in history tradition, and is proud to call itself one of the oldest organized fire departments in the country.

Services

The department provides and offers a variety of services which includes:

- Dive operations
- Emergency medical services that provide basic and advanced pre-hospital life support
- Fire, building, and housing code enforcement
- Fire prevention and public fire and safety education programs
- Fire Suppression
- Rescue Services

The Petersburg Department of Fire, Rescue, and Emergency Services are also a participating member in two regional specialized operation teams: Hazardous Materials and Heavy Tactical Rescue. In the event of a local or regional disaster, the department has been charged with the lead responsibility of Emergency Management for the City of Petersburg.



The Petersburg Fire Department operates 5 stations throughout the City of Petersburg. The National Fire Protection Association (NFPA) recommends a 6-minute maximum response time for professional fire departments to reach all locations in their jurisdiction. Most areas of Petersburg lie within a 6-minute response time and those sections of town that do not are being addressed through policies that will ensure compliance with NFPA required 6-minute response time. Outlying areas of the City receive less responsive services. These areas include the Route 36 Corridor, the Western edge of the City (South of I- 85) and the Crater Rd and 460 Corridors in the southern portion of the City.

Fire zones should be realigned, and one of the two northern fire stations should be realigned given the high level of overlap and crossover out of City boundaries. A new station is being planned through the Capital Improvement Program of the City to accommodate the influx of development along the South Crater Road and 460 Corridors. In anticipation of the growth in these areas, attention should also be given to the impact on water pressure and ensuring that levels are adequate for fire protection. To increase fire protection, the Fire Marshal's Office provides a minimum annual inspection of all moderate/high hazard structures.

The Petersburg Circuit Court

The Petersburg Circuit Court is a trial court that oversees civil and criminal court cases in Virginia's 11th district. While the function of the court is outside of the purview of this Plan, there are items that must be addressed in the Capital Improvements Plan. The court facilities are outdated and undersized. There are a series of capital improvements that need to be made, most of which were addressed in a plan to expand the court facilities. The Capital Improvement Plan is addressing improvements that are necessary for the protection and stabilization of the clock tower and the building.

Public Safety Issues

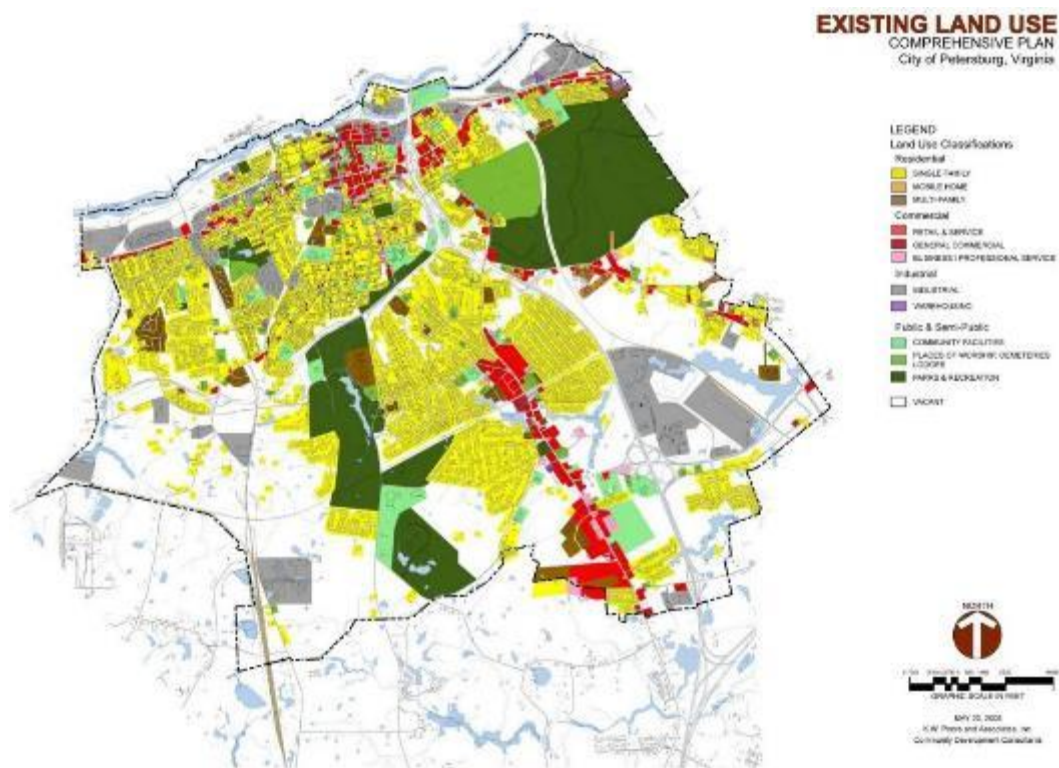
- Improved level of services is needed for police in the South Crater Road area around the new Southside Regional Medical Center.
 - Areas of the city remain outside the National Fire Protection Association's recommended 6-minute maximum response time.
 - There is a lack of sufficient fire protection for Route 460 and the South Crater Road Corridor.
 - Petersburg Circuit Court facilities are outdated and undersized to best meet the needs of the City.
1. **Policy Goal:** Secure adequate facility space, equipment, and staff for the courts and police department to provide safety and protection for all areas of the city.
 - **Objective 1:** Build an additional police station to service the expanding South Crater Road and Route 460 corridors. (Long Term: More than 10 Years)
 - **Objective 2:** Implement recommendations from the facilities plan that addresses the changes needed for circuit court facilities. Ongoing
 2. **Policy Goal II:** Secure adequate fire coverage for all of Petersburg.
 - **Objective 1:** Redistrict fire zones and build an additional station in the city's southern end to allow for optimum fire response time of 6 minutes. (Long Term: More than 10 Years)
 - **Objective 2:** Hire an Emergency Planner to enhance the Office of Emergency Management. Planner will be responsible for NIMS (National Incident Management System) compliance and submitting grants for public safety. (Short Term: 0-5 Years)

- **Objective 3:** Add fire stations in southern and eastern portions of the City. (Long Term: More than 10 Years)
- **Objective 4:** Relocate Farmer Street Station to reduce response times. (Long Term: More than 10 Years)
- **Objective 5:** Create a Department capacity analysis to improve all aspects of public safety delivery. (Short Term: 0-5 Years)

Existing Land Use

Existing land use in Petersburg has a large impact on the location and type of future development, since established land use patterns are not easily changed. Understanding existing land use patterns is therefore essential to planning for desired future growth. The existing land use map, Map 9-1, indicates the present use of all property was compiled from field surveys in May 2008. Graph 9-1 shows the percentage and acreage for each land use which totals 22.9 square miles.

As is visually apparent, from the existing land use map (Figure 9-1 on page 132), the City of Petersburg has a considerable amount of land devoted to residential use including single-family, multi-family, and mobile homes. Residential uses make up about 30% of all land uses in the City. Commercial uses only make up about 15% of the acreage used in the City of Petersburg and are primarily concentrated in downtown/Old Towne Petersburg, along Crater Road, and along Route 36/Washington Street. The acreage devoted to Industrial land uses have changed over the years as the old warehouses have been converted to residential uses or rezoned for other commercial uses. Approximately 5%, Industrial uses are scattered throughout the older portions of the city and the outskirts of the City. The remaining acreage is devoted to Community Facilities to include churches, cemeteries, and parks. Vacant land throughout the City has increased in recent years as the City has demolished homes as a part of the blight removal policies. The remaining land uses comprise 4.5 square miles of dedicated roads, rail, and transportation right of way.



Map 9-1: Existing Land Use map in Petersburg
The major categories of land use are as follows:

Low Density: Conventional single- family homes, row houses, single building duplexes (two-family) which are generally located on individual lots.

Medium to High Density: Apartment complexes and condominium style living. Generally, includes anytype of clustered housing as part of a larger complex.

Mobile Homes: Includes individual manufactured and mobile homes and mobile home/trailer parks.

Retail & Service: Includes all types of retail outlets such as shops, convenience stores, clothing shops, and restaurants.

General Commercial can include auto repair shops, bulk storage, gas stations. Service also includes personal service (beauty and barber shops, nails salons, fitness, and dance studios. Service may also include appliance servicing but not manufacturing.

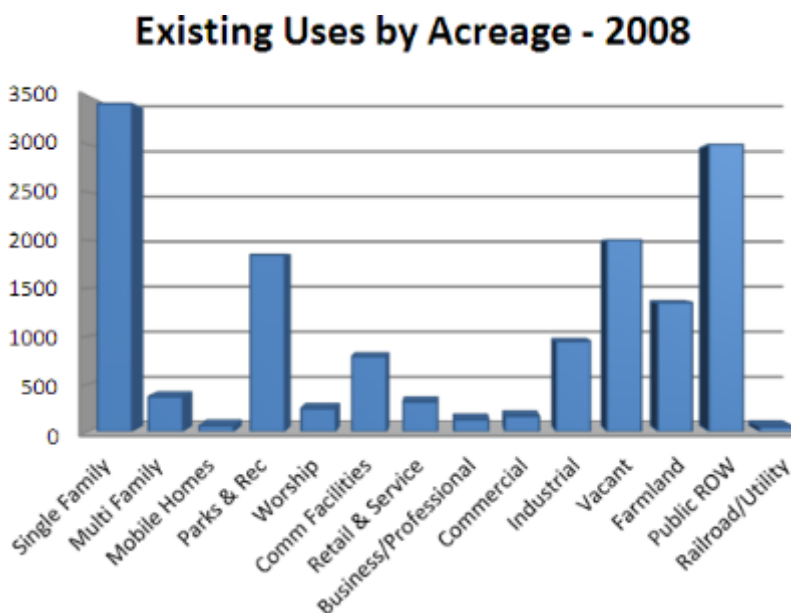


Figure 9-1: Existing Uses of land in Petersburg in 2008

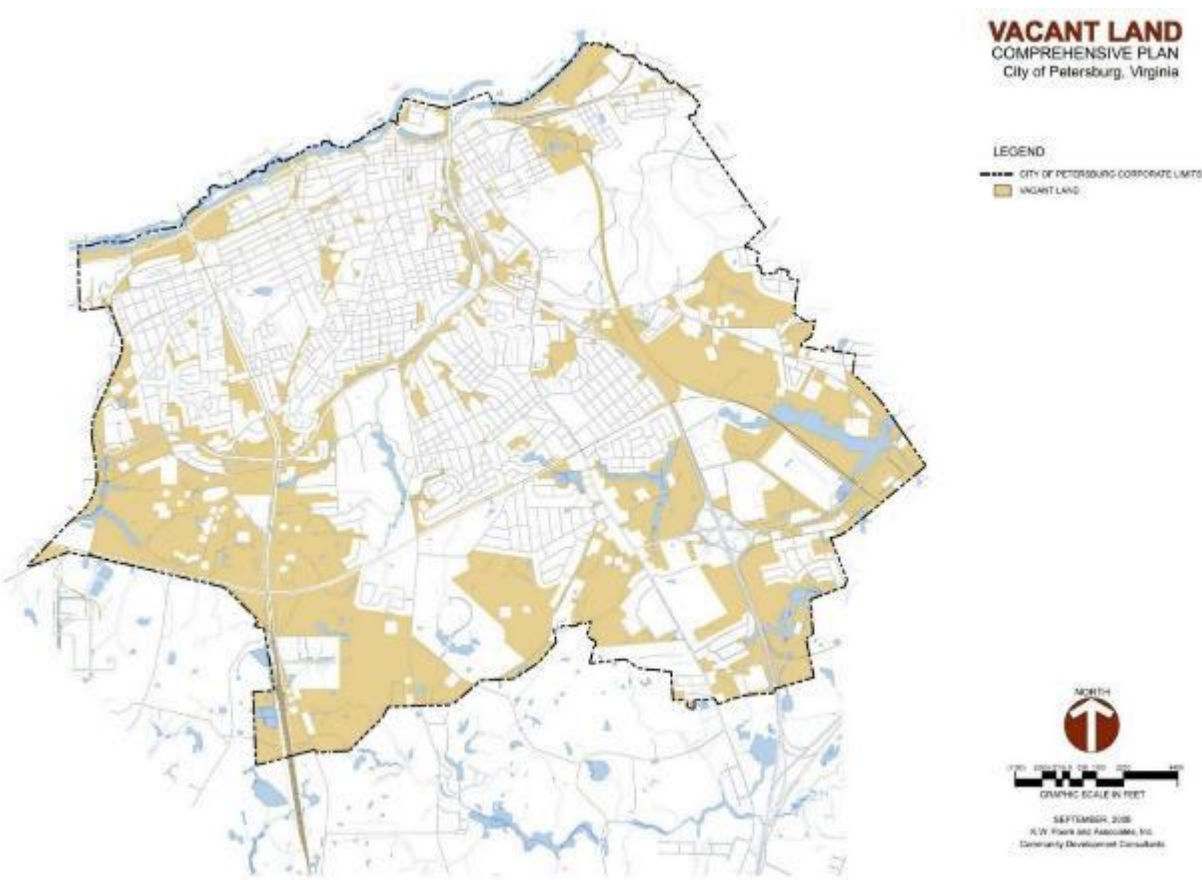
Business/Professional Services: Includes general offices, dentists, doctors, law firms, insurance agencies and other such professional services and offices.

Industrial: Includes both low-intensity industrial uses such as light manufacturing or processing of goods. Also includes heavy manufacturing of goods including processing packaging, treatment of products and materials.

Community Facilities: This includes all municipal buildings, land and stations, water storage, and schools. Places of Worship (churches, synagogues, temples, storefront, cathedrals, halls), Cemeteries, community centers (not for profit) and lodges.

Parks & Recreation: Includes public parks, small neighborhood parks, recreational facilities, sports complexes, sports fields, and other recreational areas.

Vacant: All undeveloped land including vacant lots, open space, and forest lands.



Map 9-1: Vacant Land in Petersburg

Figure 9-1: A pastoral field on the beautiful outskirts of Petersburg

Historic Development Trends

Although land use today is determined by planning and zoning, Petersburg's early growth paralleled that of the various transportation corridors which cross it. This is evident in the Street patterns and land uses shown on the existing land use map: for example, much of the City's older development is situated along the railway, while its more recent development follows along the route of the 95 interstate. Transportation and land use have been linked since the City's beginnings as Fort Henry in 1646. Situated at the falls of the Appomattox River, Petersburg's early growth depended on the river front for trade in tobacco and other goods. Industrial development along the river and the clustered mixture of uses on the street grid of Old Towne reflect the days before the automobile. The 19th century rail began to affect Petersburg's growth and shook the foundation of its center for industry and trade. The land dedicated to industrial use today is still found along the

numerous railways which cross Petersburg. The railroad corridors along the river front continued to supply the industries located along the river and strengthened Petersburg's economic importance as a center for manufacturing. Rail continues to be an important part of the existing land use pattern. Industrial areas line the CSX and Norfolk Southern lines shipping coal, mixed freight, and even automobiles.

The rise of the automobile began to change the pattern of land use nationwide by the mid-20th Century. Neighborhoods north of interstates 85 and 95 as seen on the Existing Land Use map, reflect the evolving patterns of land use as residential, commercial, and industrial uses were increasingly kept separate. Zoning and increased automobile traffic became a part of everyday life. The pattern of land use south of interstate 85 is classic suburban growth which flowed from the construction of interstates across the nation. While older residential neighborhoods in Petersburg show occasional neighborhood commercial uses, the explosion of growth in the 60's, 70's and 80's south of Interstate 85 shows almost a complete separation of land uses. Commercial growth occurred primarily along South Crater Road, with large amounts of land dedicated to parking lots and widened roads in stark contrast to the narrow streets of Old Town.

Future Land Use Plan

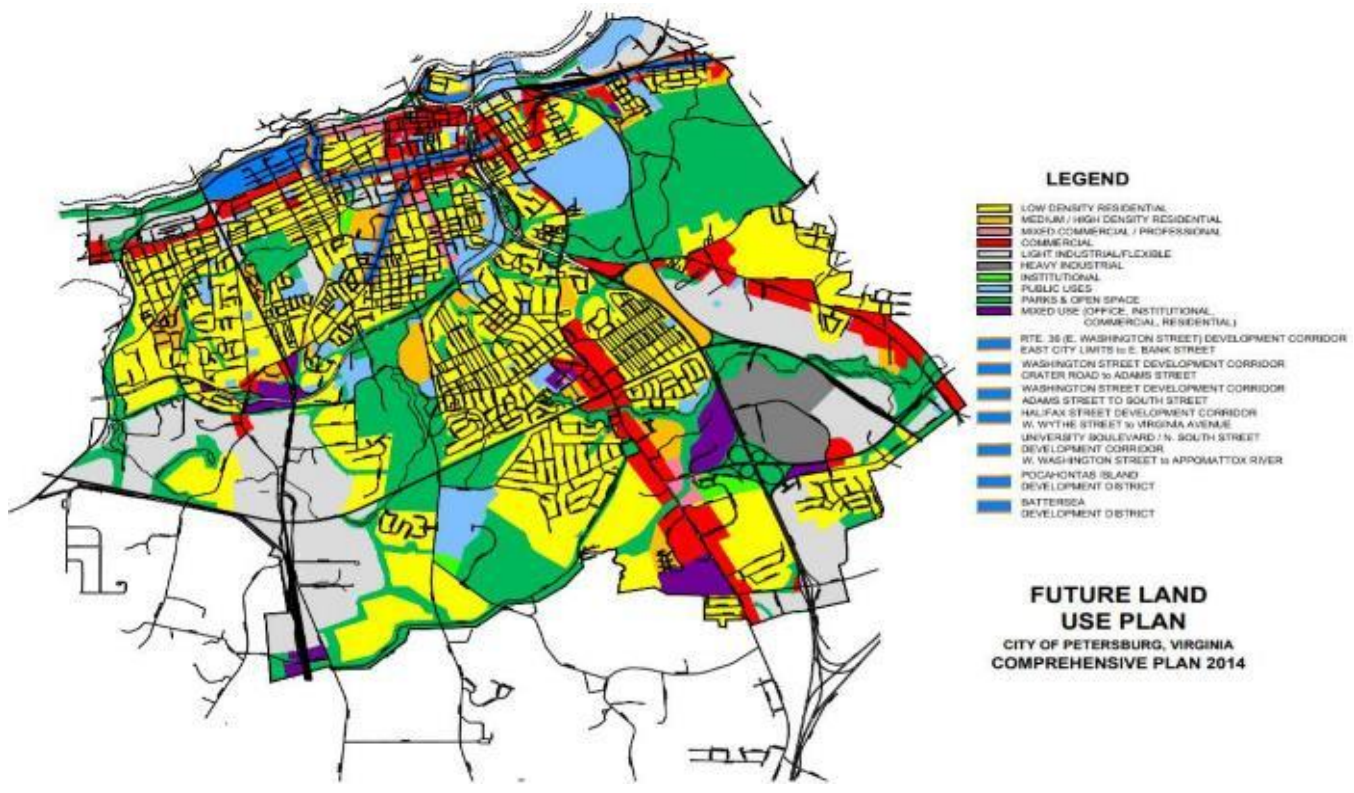
The future land use plan will be revised to include a narrative that discusses how much change is anticipated through the year 2045. It will project what Petersburg will look like in the future, how the City is expected to change from how it has developed in the past.

The Future Land Use Plan will play close attention to vacant land, and include policies and objectives for use of the vacant land. It will consider physical constraints to development, especially infill development, and it will consider open and greenspace needs for environmental protection and recreation purposes.

The Future Land Use will recommend the development of appropriate incentives to achieve development goals. It will also prescribe water quality improvements that can be addressed via compliance with current environmental regulations and city policy, including Chesapeake Bay Preservation Act compliance, Erosion & Sediment control, better site design, Low Impact Development (LID), etc. In so doing it will illustrate how compliance with the previously mentioned requirements and development practices positively impact and influence new development in Petersburg.

The City will engage with a contractor to assist with the further development and update of the Comprehensive Plan through 2023. The outcome will include a Future Land Use Plan and Map that illustrates the goals and objectives for future development in Petersburg.

Future Land Use Plan



Map 10-1 Future Land Use in Petersburg





City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager
Tangela Innis, Deputy City Manager

FROM: Reginald Tabor

RE: **A Public Hearing and consideration of an Ordinance Amending the City's Zoning Ordinance to permit Micro-Brewery, Micro-Cidery and Micro-Winery in the B-1 Zoning District. (page 324)**

PURPOSE: A Public Hearing and consideration of an Ordinance approving an amendment to the City's Zoning Ordinance.

REASON: To comply with applicable procedures and laws regarding the consideration of amendments to the City's Comprehensive Plan.

RECOMMENDATION: It is recommended that the City Council holds a Public Hearing and approves an amendment to the City's Zoning Ordinance to permit Micro-Breweries, Micro-Cideries and Micro-Wineries in the B-1 Zoning District.

BACKGROUND: The City City Council of the City of Petersburg adopted 21-Ord-18 on March 23, 2021, to amend the City's Zoning Ordinance and add the definition of Micro-Breweries, Micro-Wineries, Micro-Distilleries, and Micro-Cidery.

This is an Ordinance to specify the Zoning Districts in which the uses are permitted.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from Related Businesses

CITY COUNCIL HEARING DATE: 5/17/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: Virginia Department of Alcoholic Beverage Control

AFFECTED AGENCIES: City Assessor, Commissioner of the Revenue, Department of Fire, , Fire Marshal, Department of Planning and Community Development

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 21-Ord-18, the City's Zoning Ordinance

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 21ORD18ZoningOrdinanceTextAmendmentAddRestaurants

**AN ORDINANCE APPROVING AN AMENDMENT TO THE PETERSBURG
ZONING ORDINANCE TO ADDRESS RESTAURANTS AND RELATED USES**

WHEREAS, The City's Zoning Ordinance currently does not contain a definition for or otherwise regulate "restaurants"; and

WHEREAS, Within the Zoning Ordinance, restaurant is included in the definitions of Adult Entertainment Establishment, Drive-in restaurant, and Nightclub; and

WHEREAS, Restaurant is also included in the use regulations of Article 10. "R-5" Multiple Dwelling, and Article 18.1. "MXD-1" Mixed Use District; and

WHEREAS, Fast Food Restaurants and Restaurants except fast-food restaurants but including those accessory to hotels and motels, are referenced in Art. 19, § 4 Petersburg Code Art. 19, § 6 Section 5. Parking space requirements; and

WHEREAS, Zoning matters related to restaurants have been considered under Zoning Ordinance regulations listed above and in Article 14. "B-1" Shopping Center District Regulations, Section 2. Use Regulations (1) Retail sale of merchandise, services, recreational areas, parking areas and other facilities, as set forth and described in this section and ordinarily accepted as shopping center uses; and

WHEREAS, There is a need to further define restaurants and related uses to clarify zoning matters related to restaurants; and

WHEREAS, The item was on the posted February 3, 2021 Planning Commission Meeting Agenda as an information item, and on the February 17, 2021 Planning Commission Meeting Agenda as a public hearing. Public Hearing notices were advertised in compliance with Code requirements.

WHEREAS, During the February 17, 2021 meeting, the Petersburg Planning Commission held a Public Hearing and considered the matter, then approved a resolution recommending approval by the City Council.

NOW THEREFORE BE IT ORDAINED that the City of Petersburg City Council does hereby approve a Zoning Ordinance Text Amendment consistent with the attached (**Exhibit A**).

Exhibit A

ARTICLE 3 SECTION 1 OF THE PETERSBURG ZONING ORDINANCE “DEFINITIONS” IS HEREBY AMENDED AND RE-ADOPTED TO INCLUDE:

Live Entertainment. An accessory use allowing live performances but not limited to, music performances involving amplified music or more than one live instrument, a disc jockey, any form of dancing, karaoke, solo artists and comedians.

Micro-Brewery, Micro-Distillery, Micro-Winery and/or Micro-Cidery. A facility for the production and packaging of alcoholic beverages for distribution, retail or wholesale, on- or off-premises and which meets all Virginia Alcoholic Beverage Control laws and regulations. The facility may include other uses such as retail sales, tasting rooms and restaurants.

Mobile Food Unit. A restaurant that is mounted on wheels and readily movable from place to place by an internal engine or that is towed from place to place by a motor vehicle. Mobile food unit shall not include vending carts or other conveyances which are designed to be moved by either human or animal power.

Nightclub. An establishment where entertainment, live or otherwise, predominates over food service, becoming the principal use for at least during part of the business' operations, with or without dancing, and typically involving a cover or other charge for admission and event advertising. An establishment that serves alcoholic beverages, that provides live entertainment with live music, a disc jockey and a dance floor and that operates late in the evening later than 11:00 p.m.

- 1) A nightclub shall not serve food or beverages to customers between the hours of 2:00 a.m. and 6:00 a.m.
- 2) A menu shall be provided containing an assortment of foods which shall be made available at all times the establishment is open. A food menu and full dining service shall be available at the bar.
- 3) No door to the establishment which opens onto or faces a public right-of-way shall be propped open during any time that entertainment is being provided.
- 4) The establishment shall maintain a current, active business license at all times while in operation.
- 5) The establishment shall remain current on all food beverages taxes and business personal property taxes which may become due while it is in operation.
- 6) The area devoted to dance floor shall not exceed 250 square feet or ten percent of total floor area (exclusive of food preparations and service area), whichever is greater.

Private plaza means a multi-purpose area that allows flexibility of space within its boundaries, to include planned and passive activities such as festivals, art events, outdoor

movies, staged musical or theatrical entertainment, which may also include fountains, benches, temporary installations, including temporary stages, lighting and sound equipment, recreational facilities, outdoor furniture and seating areas and outdoor seating for restaurants and other eating establishments that surround the plaza.

Private Club. An establishment of a private not-for-profit organization, including fraternal organizations, which provides social, physical, recreational, educational or benevolent services. Such establishment shall not be operated for the purpose of carrying on a trade or business, and no part of the net earnings shall inure to the benefit of any member of such organization or any other individuals, although regular employees may be paid reasonable compensation for services rendered.

Restaurant. an establishment where food and beverages are prepared and sold for consumption both on and off the premises, and with customer seating provided on the premises.

Restaurant, Carry Out. An establishment where food and beverages are prepared for consumption off the premises, and with no customer seating on the premises.

Restaurant, Coffee or Ice Cream Shop. A small restaurant, typically no more than 2,000 square feet in area, where the principal business is either the sale of coffee and other hot beverages or the sale of ice cream, frozen yogurt or other related confections. Pastries, baked goods, cold beverages, sandwiches and other light fare may also be sold incidental to the service of coffee, and other confections, but no alcohol is served, no entertainment takes place and no significant cooking, other than the application of heat by microwave, electric burner, espresso machine, the heating of soup or the boiling of water, typically takes place; and

Ordinance 21-ORD-18
adopted by the City of Petersburg Council
of the City of Petersburg on:
03/23/2021

Nlyh O J e
Clerk of City Council

David S. Bailey
Mayor



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager
Tangela Innis, Deputy City Manager

FROM: Reginald Tabor

RE: **A Public Hearing and consideration of an Ordinance authorizing the vacation of Right of Way along River Street between 3rd Street and 5th Street. (page 332)**

PURPOSE: A Public Hearing and consideration of an Ordinance approving the vacation of Right of Way.

REASON: To comply with applicable procedures and laws regarding the consideration of Right of Way vacation.

RECOMMENDATION: It is recommended that the City Council schedules a Public Hearing and considers an ordinance authorizing the vacation of Right of Way.

BACKGROUND: The City Council of the City of Petersburg adopted an ordinance authorizing the sale of property along River Street and the Appomattox River to establish green space and a location for outdoor events. The sale of the property has been closed, and the property was transferred to the new owner.

The vacation would result in closure of the roadway along River Street between 3rd Street and 5th Street. The property owner owns property located at 240 River Street to the South of River Street, and 277 River Street to the North of River Street.

The owner is requesting the vacation of City Right of Way on River Street, between 3rd Street and 5th Street, to facilitate use of the recently acquired property along River Street and the planned event space use.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Real Estate Tax revenue and revenue from use of the property.

CITY COUNCIL HEARING DATE: 5/17/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Assessor, Public Works, Police, Fire, Fire Marshal, Planning and Community Development.

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: Ordinance authorizing the sale of property at 277 River Street.

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0517_2022OrdinanceRightofWayVacationRiverSt
2. 0223_2022JJRPUpdatedProposed

**AN ORDINANCE AUTHORIZING THE VACATION OF RIGHT OF WAY
ALONG RIVER STREET BETWEEN 3RD STREET AND 5TH STREET**

WHEREAS, the City Council of the City of Petersburg adopted an ordinance authorizing the sale of property along River Street and the Appomattox River to establish green space and a location for outdoor events; and

WHEREAS, the sale of the property has been closed, and the property was transferred to the new owner; and

WHEREAS, the property owner owns property located at 240 River Street to the South of River Street, and 277 River Street to the North of River Street.

WHEREAS, the owner is requesting the vacation of City Right of Way on River Street, between 3rd Street and 5th Street, to facilitate use of the recently acquired property along River Street and the planned event space use; and

WHEREAS, the vacation would result in closure of the roadway along River Street between 3rd Street and 5th Street; and

WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this is a public hearing to consider approval of the Zoning Ordinance Text Amendments, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED, that the City Council of the City of Petersburg does hereby approve the vacation of Right of Way on River Street, between 3rd Street and 5th Street.

BE IT FURTHER ORDAINED, that the planned street closure will have to comply with City laws and procedures, including the Site Plan review and approval process, especially to ensure public safety access and utility system continuity.



Joseph Jenkins Roberts Park

Proposed Conditions

Program Key

Proposed Action

- P1 Dredge Waterway
- P2 Close Joseph Jenkins Roberts Road
- P3 Provide Parking
- P4 Protective Fencing at Railway
- P5 Open Lawn for Large Gatherings
- P6 Repurpose Concrete Pad
- P7 Clear Vegetation for Park Usage
- P8 Clear Vegetation for Water Access
- P9 Create Space for Temporary Events

Proposed Activities

- Concerts
- Dog Park / Dog Run
- Courts
- Community Events
- Fireworks
- Water Access
- Recreation Trails



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Tangela Innis, Deputy City Manager
Kenneth Miller, Interim City Manager

FROM: Randall Williams

RE: A public hearing for the purpose of considering an ordinance to authorize the City Attorney to proceed with condemnation of a portion of parcel 065-110004, 2793 South Crater Road. (page 336)

PURPOSE: To authorize the city attorney to begin the eminent domain process against 2793 South Crater Road, parcel 065-110004, property owner – BHY Investment 2, LLC, a Virginia limited liability company.

REASON: The city requires 153 square feet (0.004 acres) of permanent signal easement and 37 square feet (0.001 acres) of temporary construction easement to construct signal improvements at the southeast corner of South Crater Road and Flank Road intersection.

RECOMMENDATION: The Public Works Department recommends proceeding with the eminent domain process.

BACKGROUND: The city received Congestion Mitigation and Air Quality Improvement (CMAQ) funding for the South Crater Road Area – Signal Coordination project, to make improvements to the traffic signals along South Crater Road from Flank Road to Rives Road. The City's engineering consultant Kimley-Horn has developed plans to construct new traffic signals and pedestrian crossing. 153 square feet (0.004 acres) of permanent signal easement and 37 square feet (0.001 acres) of temporary construction easement is required from parcel 065-110004, property owner – BHY Investment 2, LLC, a Virginia limited liability company, to construct improvements. Kimley-Horn subconsultant, KDR Real Estate Services, determined value of the easements required and negotiated with BHY Investment 2, LLC. The property owner initially agreed to negotiated amount but now refuses to sign any documents.

COST TO CITY: Nominal cost associated with property value. Legal/Filing Fees

BUDGETED ITEM:

REVENUE TO CITY:

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. BHY Investment 2 LLC, Agenda Request Parcel 065-110004
2. BHY Investment 2 LLC, Council Resolution
3. Basic Administrative Report (BAR), 6-29-2021
4. ROW Administrative Settlement Evaluation Form, 9-14-2021
5. ROW Negotiation Report
6. KDR Letter to Eun Lee, 5-28-2021
7. KDR Letter to Eun Lee, 6-28-2021
8. KDR Letter to Eun Lee, 7-28-2021
9. KDR Letter to Eun Lee, 8-16-2021
10. KDR Letter to Eun Lee, 11-23-2021
11. KDR Letter to Eun Lee, 12-3-2021
12. KDR Letter, 1-5-2022



City of Petersburg

Agenda Request

DATE: March 4, 2022

TO: Honorable Mayor and Members of City Council

THROUGH: Stuart Turille, City Manager

FROM: Kenneth Miller, Interim Director of Public Works

RE: **Authorize City Attorney to begin Eminent Domain against Parcel 065-110004**

PURPOSE: To authorize the city attorney to begin eminent domain process against 2793 South Crater Road, parcel 065-110004, property owner – BHY Investment 2, LLC, a Virginia limited liability company.

REASON: The city requires 153 square feet (0.004 acres) of permanent signal easement and 37 square feet (0.001 acres) of temporary construction easement to construct signal improvements at the southeast corner of South Crater Road and Flank Road intersection.

RECOMMENDATION: The Public Works Department recommends proceeding with the eminent domain process.

BACKGROUND: The city received Congestion Mitigation and Air Quality Improvement (CMAQ) funding for the South Crater Road Area – Signal Coordination project, to make improvements to the traffic signals along South Crater Road from Flank Road to Rives Road. The City's engineering consultant Kimley-Horn has developed plans to construct new traffic signals and pedestrian crossing. 153 square feet (0.004 acres) of permanent signal easement and 37 square feet (0.001 acres) of temporary construction easement is required from parcel 065-110004, property owner – BHY Investment 2, LLC, a Virginia limited liability company, to construct improvements. Kimley-Horn subconsultant, KDR Real Estate Services, determined value of the easements required and negotiated with BHY Investment 2, LLC. The property owner initially agreed to negotiated amount but now refuses to sign any documents.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: Yes

STAFF: Kenneth Miller, Interim Director of Public Works

**A RESOLUTION TO AUTHORIZE THE CITY
ATTORNEY TO PROCEED WITH
CONDEMNATION OF A PORTION OF PARCEL
065-110004, 2793 SOUTH CRATER ROAD**

WHEREAS, for the construction of new traffic signals at the intersection of South Crater Road and Flank Road it is necessary to purchase 153 square feet (0.004 acres) of permanent signal easement and 37 square feet (0.001 acres) of temporary construction easement; and

WHEREAS, the City of Petersburg, Virginia, Department of Public Works engineering consultant, Kimley-Horn through their subconsultant KDR Real Estate Services, has attempted to negotiate with the property owner BHY Investment 2, LLC, of 2793 South Crater Road, parcel 065-110004; and

WHEREAS, BHY Investment 2, LLC has refused to sell to the City of Petersburg, Virginia, 153 square feet (0.004 acres) of permanent signal easement and 37 square feet (0.001 acres) of temporary construction easement to allow construction of new traffic signals; and

WHEREAS, to allow construction of the new traffic signals the Public Works Department has recommended proceeding with condemnation to obtain 153 square feet (0.004 acres) of permanent signal easement and 37 square feet (0.001 acres) of temporary construction easement.

NOW, THEREFORE, BE IT RESOLVED, by the City Council for the City of Petersburg, Virginia that the City Attorney is authorized to proceed with condemnation of the portion of property required for the permanent signal easement and the temporary construction easement.

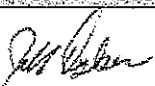
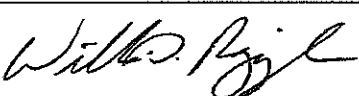
Samuel Parham, Mayor

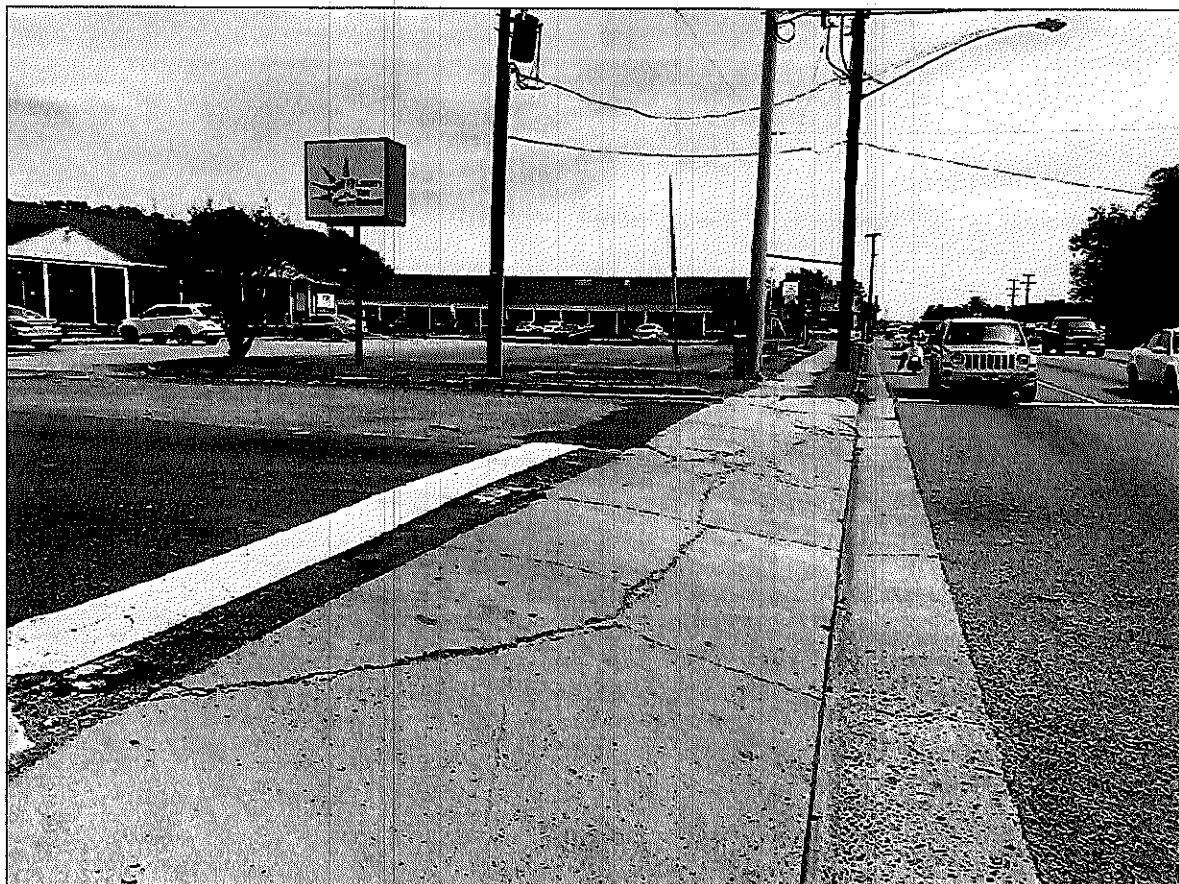
ATTEST:

Nykesha D. Jackson, Clerk of Council

Adopted by the Council of Petersburg, Virginia, this ____ day of _____, 2022.

**CITY OF PETERSBURG
BASIC ADMINISTRATIVE REPORT (BAR)
RIGHT OF WAY ACQUISITION**

Project, Parcel and Ownership Information					
Parcel No.	004				
Project Name	South Crater Road Traffic Signal Improvements				
Project No.	0301-123-259, R201	City: Petersburg			
Federal Project No.	CMAQ-5A27(096), CM-5A27				
UPC No.	101039				
Parcel Address	2793 Crater Road				
Parcel City, State and Zip	Petersburg, VA 23805-2472				
Owner Name	BHY Investment 2, LLC				
Owner Address	10 Avalon Court				
Owner City, State and Zip	Bethesda, MD 20816-1124				
Agent Name	Jefferson L. Dykes, SR/WA				
Zoning, Use and Assessment Information					
County Parcel #	065110004	Assessed Land	\$	234,100	
Zoning	B-2	Assessed Improv.	\$	1,088,700	
Current Use	Shopping Center	Total Assessed Value (2020)	\$	1,322,800	
Parcel Size Before Acquisition	5.375	Parcel Size After Acquisition		5.375	
ESTIMATE OF JUST COMPENSATION					
ITEM	UNIT	SIZE	UNIT VALUE	% OF VALUE APPLIED	ESTIMATED VALUE
PERMANENT SIGNAL EASE	SF	153	\$ 1.25	90%	\$ 200
TEMPORARY EASE (Const)	SF	37	\$ 1.25	15%	\$ 100
					\$ -
					\$ -
Value of Land and Easements					\$ 300
Value of Improvements (List and Comment Below)					
Cost to Cure Items (Explanation and Calculation Below)					
TOTAL ESTIMATED COMPENSATION					\$ 300
Comments, Explanations and Calculations (e.g. if any, area of residue acquired)					
Land prices are based on a range of values derived from property transfers in your neighborhood.					
Signatures and Date Approved for Acquisition					
Agent Signature					
Date	6/01/2021				
Approved by					
Date Approved for Acquisition	6/29/2021				



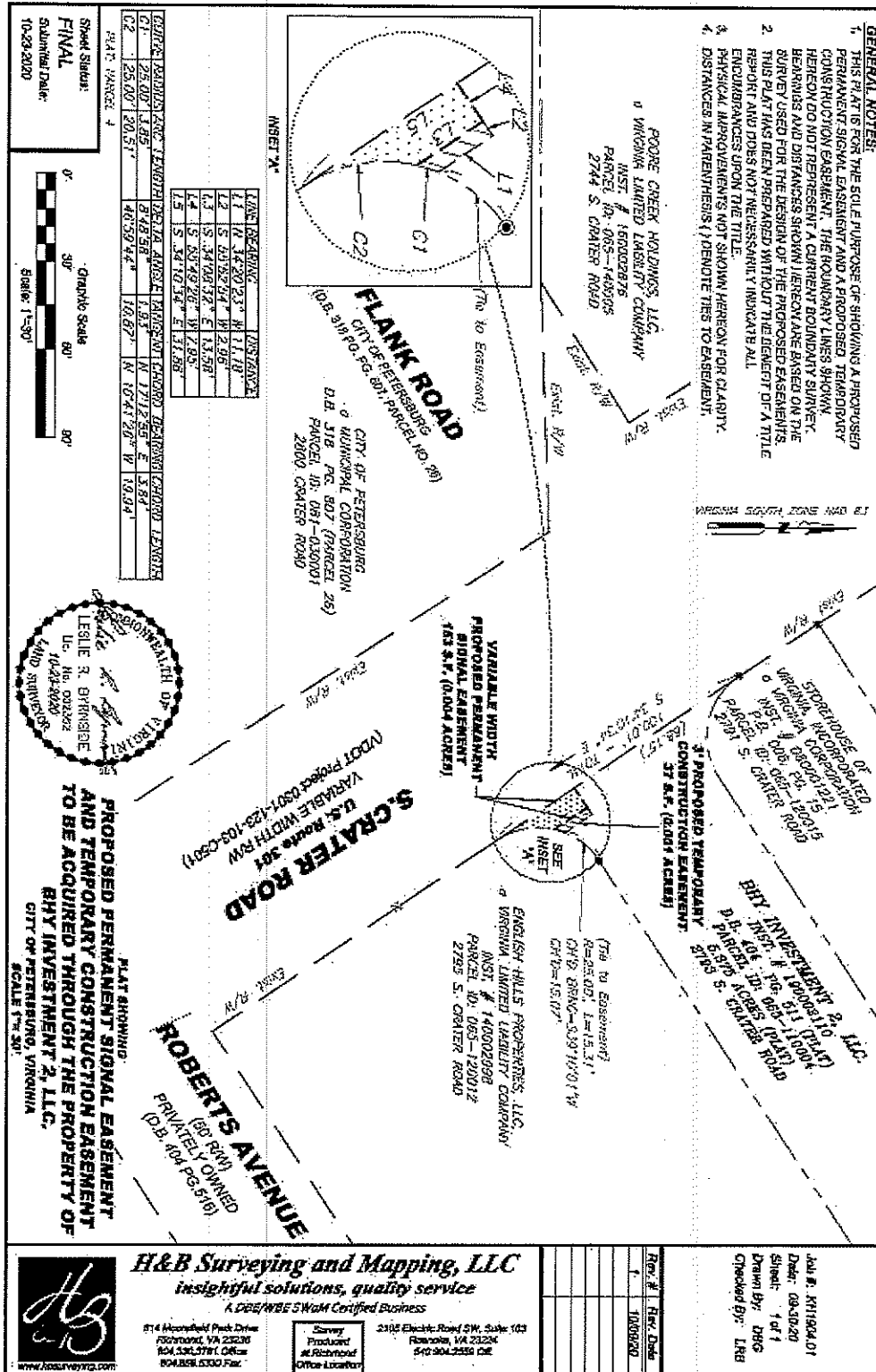
Southeast corner of property adjacent to South Crater Road entrance to property



Entrance to property from South Crater Road facing north



Petersburg GIS Tax Map



RIGHT OF WAY ADMINISTRATIVE SETTLEMENT EVALUATION FORM

Magisterial District: N/A	City: Petersburg
ROW Agent: Jaclyn Abramov	Route: South Crater Road Traffic Signal Improvement Project UPC 101039
Parcel No.: 004	State Project No. 0301-123-259, RW201 Federal Project No. CMAQ-5A27(096), CM-5A27
Project Limits: From: South Crater Road between Flank Road and Rives Road	
Owner's Name: BHY Investment 2, LLC, a Virginia limited liability company	
Approved Offer: \$ 300.00	Date Offer Made: 7/28/2021
Owner's Counteroffer: \$790.00	Date Counteroffer Rec'd.: 8/2/2021

The Administrative Settlement is ☒ / is not ☐ approved based on information provided by KDR Real Estate Services, Inc. and has been assessed as follows:


The offer package, which included the offer letter in the amount of \$300 was mailed to the landowner on 7/28/21. The valuation, project and plans were explained. The landowner submitted a counteroffer of \$790 requesting additional compensation of \$490, which was based on an increased unit value.

KDR recommends settling with the property owner for an additional \$200 for a total of \$500, as shown below:

	<u>Offer Amount</u>		<u>Negotiated Amount</u>		<u>Total</u>
Permanent Signal Easement:	\$ 200	+	\$ 100	=	\$ 300
Temporary Construction Easement:	\$ 100	+	\$ 100	=	\$ 200
Total settlement:					\$ 500.00

In addition to the justifications cited above, it provides the City of Petersburg an opportunity to avoid attorney's fees, court costs and the risk of an even higher award should this negotiation proceed to condemnation. This settlement will avoid costly construction delays and negative exposure of Petersburg City.

This Administrative Settlement of \$ 500.00 is approved ☒ / not approved ☐ as being reasonable, justified, prudent and in the public interest.


Jefferson L. Dykes, SR/WA
KDR Project Manager

9/09/2021
Date

The Administrative Settlement of \$ 500.00 is approved and accepted ☒ / is not accepted ☐ by the City.

Stuart Turille, Jr.
Stuart Turille, Jr.
City Manager | City of Petersburg

9/14/21
Date

RIGHT OF WAY NEGOTIATION REPORT

Date: December 28, 2021

Project: South Crater Road Traffic Signal Improvements Project

State Project No: 0301-123-259, RW 201

Federal Project No: CMAQ-5A27(096)

UPC: 101039

Parcel No(s): 004

Landowner(s): BHY Investment 2, LLC, a Virginia limited liability company

Property Address: 2793 S. Crater Road, Petersburg, VA 23805

Plan Sheet No(s): 3 and 3A

Landowner Representative Information: Eun Lee, 301-905-7338

Appraisal Information: Basic Administrative Report

Property Rights Acquired:

Category	Description	Units	Size	Value
Permanent Easement	Signal	Square Feet	153	\$200
Temporary Construction Easement	Construction	Square Feet	37	\$100

Total Consideration: **\$300.00**

Consideration Statement: \$300.00 in full for permanent signal easement, temporary construction easement, and any and all damages, if any.

Negotiation Information:

Negotiator: Jaclyn M. Abramov

Assigned: July 27, 2021

Completed: December 28, 2021

Utility Easement Information: N/A

Title Information:

Researcher: Regina Essel

Type of Title: COR

PID#: 065-110004

Instrument No. 190002110 Date of Instrument 5/29/2019 Recorded Date 8/15/2019

Lienholder Information:

Lienholder: United Bank

Address:

Phone Number:

Loan #:

Contact Information:

7/27/2021: I called Mr. Lee and I introduced myself and my role as Right of Way Specialist with KDR Real Estate Services. I explained KDR's relationship with the City of Petersburg and the South Crater Signal Improvements Project. I explained that I would be mailing the offer package overnight delivery and the offer letter would be coming via certified mail and we agreed to discuss this further after he receives the package. He confirmed his mailing address. JABramov *ja*

7/28/2021: Due to the major health concerns with the COVID-19 virus and social distancing standards being implemented statewide, KDR Project Manager Jeff Dykes, on the guidance of VDOT, approved the mailed delivery of the offer package. The offer package, which included the offer letter in the amount of \$300, Approved Basic Administrative Report, Deed of Easement, with plat attached setting forth rights to be acquired, Compensation Agreement, Plan Sheet, Profile Sheet, Verification of Identity Form, Owner Seller Affidavit, Certificate of Authorization, Deed of Trust Acknowledgement Form, Mortgage Information/ Third Party Authorization Form, Title Report, Commonwealth of Virginia Substitute W-9 Form and VDOT's Brochure: "A Guide for Property Owners and Tenants", was mailed to the landowner. A description of the area needed was included in the offer letter, providing an explanation of grade changes at the edge of pavement and road shoulder. JABramov *ja*

7/29/2021: The offer package was delivered and delivery confirmation was received. JABramov *ja*

8/2/2021: I called Mr. Eun Lee and he stated that he and his wife felt that this offer was too low. He submitted a counteroffer of \$5.00 per square foot, which is a total of \$790, an additional \$490. I requested his justification and he stated that his has a higher value than what we offered. I submitted his counteroffer to Jeff Dykes. JABramov *ja*

8/4/2021: Jeff Dykes advised that the City could agree to settle for \$500. JABramov *ja*

8/6/2021: I called Mr. Lee and left a message asking him to call me back. JABramov *ja*

8/6/2021: I called Mr. Lee and left a message asking him to call me back. JAbramov *ga*

8/10/2021: I called Mr. Lee and discussed the counteroffer with him. He agreed to settle for a total of \$500. JAbramov *ga*

8/13/2021: I mailed Mr. Lee the documents for signature. JAbramov *ga*

8/25/2021: I called Mr. Lee and he said he will get the documents signed this week and get them back to me. I reminded him that he needs to make sure the company is reinstated with the SCC. JAbramov *ga*

9/8/2021: I called Mr. Lee and left a message. JAbramov *ga*

9/14/2021: I called Mr. Lee and left a message to follow up with him. JAbramov *ga*

9/23/2021: I called Mr. Lee and left a message to follow up with him. JAbramov *ga*

9/27/2021: I called Mr. Lee and no one answered. JAbramov *ga*

10/4/2021: I called Mr. Lee to follow up with him and left a message asking him to call me back. JAbramov *ga*

10/7/2021: I called Mr. Lee and he answered and said that he would get the documents in the mail to me tomorrow. JAbramov *ga*

10/14/2021: I called Mr. Lee and left a message stating that I have not received the documents and requesting that he get them to me as soon as possible. JAbramov *ga*

10/20/2021: I called Mr. Lee and left a message to follow up with him about the documents and asking him to call me back. JAbramov *ga*

10/25/2021: I called Mr. Lee and left a message. JAbramov *ga*

10/28/2021: I called Mr. Lee and left a message. JAbramov *ga*

11/3/2021: I called Mr. Lee and left a message. JAbramov *ga*

11/9/2021: I called Mr. Lee and left a message. JAbramov *ga*

11/11/2021: I called Mr. Lee and left a message. JAbramov *ga*

11/15/2021: I called Mr. Lee and left a message. JAbramov *ga*

11/18/2021: I called Mr. Lee and left a message. JAbramov *ga*

11/23/2021: I sent a follow up letter to Mr. Lee requesting that he respond within two weeks. JAbramov *ga*

11/30/2021: I called Mr. Lee and he answered. I asked him if he was going to sign the documents and return them to me and he stated that he didn't want to sign any documents. I asked why he did not want to sign the documents now, when we had already reached an agreement and he said he just didn't want to sign anything. I stated that this was a very small impact to the land and it was for two small easement areas and I attempted to describe the areas to him. He continued to say he didn't want to sign anything. I asked him if we could meet on site to view the area and he declined. He said he was not going to sign anything. Therefore, I explained the condemnation process and eminent domain to him and he stated that he understood. I advised Jeff Dykes of the conversation. J.Abramov *ga*

12/2/2021: An impasse letter was mailed to the landowner requesting that they respond within two weeks and explaining that if we cannot reach an agreement that we will turn the file over to the City to consider Condemnation. J.Abramov *ga*

12/28/2021: No response has been received from the landowner. At this time, this is considered a refusal and KDR recommends to the City of Petersburg to move forward with filing a certificate to keep the Project Schedule. J.Abramov *ga*

Certification Statement:

This is to certify that this report covers my complete negotiations with this landowner for the rights-of-way required in accordance with the plans which were furnished me for these negotiations and that (1) I understand that the right-of-way is required in connection with the construction of county state and/or federal aid highway project (2) the written agreement secured and/or offer covers all of considerations between the landowner(s) and me and that there were no verbal commitments made (3) the agreement, if any, was reached without coercion, promises, threats, or any other understanding of any kind by either party prior to the said agreement, if any, being executed and (4) I have no direct interest in the property involved and contemplate no future personal interest or benefits from the acquisition, if any.

Signature: *Jaclyn M. Abramov* Date: *December 28, 2021*

Approved by: *Jeff Dykes* Date: *1/05/2022*



KDR Real Estate Services

"When you need it done the right way"

May 28, 2021

RE: South Crater Road Traffic Signal Improvements Project (UPC 101039)
State Project No.: 0301-123-259, R201
Federal Project No.: CM-5A27(740)
Property Owner: BHY Investment 2 LLC
Property Address: 2793 South Crater Road, Petersburg, VA 23805
Parcel ID No.: 065-110004
Parcel No.: 004

BHY Investment 2 LLC
c/o Eun S. Lee, President
10 Avalon Court
Bethesda, MD 20816

Dear Eun Lee:

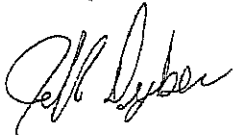
The City of Petersburg is proceeding with plans to improve signal operations, mitigate congestion, improve travel times, and improve overall safety at six (6) intersections along South Crater Road between Flank Road and Rives Road. The project will include upgrading traffic signals, installing signal poles and mast arms, signal heads, video detection, pedestrian signal heads, pedestrian curb ramps, communications equipment, and other signal and pedestrian improvements. Construction on this project is projected to start in early 2022.

Construction plans indicate that right-of-way and/or easement(s) will need to be acquired on your property to allow for the construction of the improvements. KDR Real Estate Services (KDR) has been retained by Kimley-Horn, the City of Petersburg's design engineer, to acquire the property rights needed for the construction of the project.

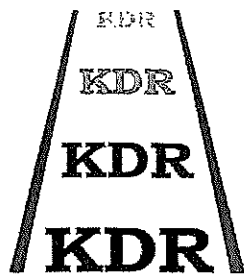
The City and Kimley-Horn are in the process of finalizing plans, evaluations, and conveyance documents. Once KDR receives approval from the City to initiate the presentation of an offer for the rights that are to be acquired, KDR will be contacting you or your appointed representative to schedule an appointment to explain the project and present a written purchase offer for the property rights needed, which will include land, affected improvements, and/or any applicable easements.

Enclosed please find a contact sheet to be completed and returned in the enclosed envelope. If you have any questions, you may contact me by postal mail, telephone, or email. I can be reached at 804.956.4672 or by email at jdynes@kdrrealestate.com. A business card with my contact information is enclosed for your reference.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Dykes". The signature is fluid and cursive, with the first name "Jeff" and last name "Dykes" clearly distinguishable.

Jefferson L. Dykes, SR/WA
KDR Project Manager
Enclosure



KDR Real Estate Services

"When you need it done the right way"

June 28, 2021

BHY Investment 2 LLC
c/o Eun S. Lee, President
10 Avalon Court
Bethesda, MD 20816

Re: South Crater Road Traffic Signal Improvements Project (UPC 101039)
State Project No.: 0301-123-259, RW201
Property Owner: BHY Investment 2 LLC
Property Address: 2793 South Crater Road, Petersburg, VA 23805
Tax Map No.: 065-110004
Parcel No.: 004

Dear Eun Lee:

The City of Petersburg is proceeding with plans to improve signal operations, mitigate congestion, improve travel times, and improve overall safety at six (6) intersections along South Crater Road between Flank Road and Rives Road. The project will include upgrading traffic signals, installing signal poles and mast arms, signal heads, video detection, pedestrian signal heads, pedestrian curb ramps, communications equipment, and other signal and pedestrian improvements. Construction on this project is projected to start in early 2022.

Construction plans indicate that right-of-way and/or easement(s) will need to be acquired on your property to allow for the construction of the improvements. KDR Real Estate Services (KDR) has been retained by the City of Petersburg to acquire the property rights needed for the construction of the project.

The City has requested that KDR evaluate the land and/or easements needed from your property for construction of this project. Please contact me at **804.956.4672** if you have any questions about the evaluation process. If I am unavailable, please leave a message.

Once the evaluation has been completed and approved by the City, we will schedule an appointment to explain the project and present a written purchase offer for the property rights to be acquired. This offer will be based on the approved evaluation. A copy of the approved evaluation (Basic Administrative Report) will be provided to you at this time along with copies of a title report, plat, and sidewalk plans showing the construction that is to take place on your property.

Thank you for your cooperation.

Yours truly,

A handwritten signature in dark ink, appearing to read "Jeff Dykes", written in a cursive style.

Jefferson L. Dykes, SR/WA
KDR Project Manager

VDOT ensures nondiscrimination and equal employment in all programs and activities in accordance with Title VI and Title VII of the Civil Rights Act of 1964. If you need more information or special assistance for persons with disabilities or limited English proficiency, contact your District Civil Rights Manager or the Title VI Specialist at Central Office (804) 786-2085 (or TTY 711).

VDOT asegura la no discriminación y el empleo con igualdad de oportunidades en todos los programas y actividades, de acuerdo con el Título VI y VII de la Ley de Derechos Civiles de 1964. Si necesita más información o ayuda especial para personas con discapacidades o una competencia limitada en idioma inglés, comuníquese con el Director de Derechos Civiles del Distrito o con el Especialista en el Título VI a la oficina Central (804) 786-2085 (o TTY 711).



City of Petersburg

Office of the City Manager
135 North Union Street
Petersburg, Virginia 23803

(804) 733-2301

VIA UPS OVERNIGHT DELIVERY /CERTIFIED MAIL-RETURN RECEIPT

28
Date: July 16, 2021

BHY Investment 2, LLC
c/o Eun S. Lee, Manager
10 Avalon Court
Bethesda, MD 20816

Re: South Crater Road Traffic Signal Improvements Project (UPC 101039)
State Project No: 0301-123-259, RW201
Property Owner: BHY Investment 2, LLC, a Virginia limited liability company
Property Address: 2793 S. Crater Road, Petersburg, VA 23805
PID No.(s): 065-110004
Parcel No(s): 004

Dear Eun:

As you may know, the City of Petersburg is proceeding with plans to improve signal operations, mitigate congestion, improve travel times, and improve overall safety at six (6) intersections along South Crater Road between Flank Road and Rives Road. The project will include upgrading traffic signals, installing signal poles and mast arms, signal heads, video detection, pedestrian signal heads, pedestrian curb ramps, communications equipment, and other signal and pedestrian improvements. The projected start date for construction on this project is early 2022. In order to implement these improvements, additional right of way and/or easements are needed that will affect your property. The City of Petersburg has contracted with KDR Real Estate Services, Inc. to acquire the right of way for this project. The authorized agent is Jaclyn M. Abramov with KDR Real Estate Services, Inc. You may contact Jackie at **804.956.4674** or via email at **jabramov@kdrrealestate.com**.

The City's offer is based upon a study of the real estate market in your area to determine the market value per unit. After inspection and consideration of the impact of the proposed improvements upon your property, a percentage was determined and applied to the unit value, and the market value of the property rights to be acquired was established at \$300.00. Accordingly, the City offers you **\$300.00** as full compensation for the property rights described in the enclosed deed of easement and agreement.

A breakdown of this offer is as follows:

TYPE OF ACQUISITION	AREA (SQUARE FEET)	UNIT VALUE	PERCENT OF VALUE APPLIED	ESTIMATED MARKET VALUE	TOTALS
Permanent Signal Easement	153	\$1.25	90%	\$200	
Temporary Construction Easement	37	\$1.25	15%	\$100	
TOTAL ESTIMATED VALUE OF EASEMENTS ACQUIRED					\$300.00
TOTAL OFFER AMOUNT					\$300

Please find enclosed for your review the following documents:

- Basic Administrative Report (BAR)
- Deed of Easement, with plat attached setting forth the rights to be acquired
- Compensation Agreement
- Plan Sheet and Mainline Profile Sheet Numbers 3 and 3A
- Verification of Identity
- Certificate of Authorization
- Third Party Mortgage Authorization
- Owner/Seller Affidavit
- Commonwealth of Virginia Substitute W-9 Form (Form W-9)
- VDOT's Brochure: "A Guide for Property Owners and Tenants"
- Title Report

The following will be required:

- Copy of Operating Agreement
- Payment of Delinquent Taxes
- Reinstatement with Virginia State Corporation Commission

Additional title requirements may be requested before settlement.

Plan Sheet 3 shows specific features highlighted in the following colors: GREEN - the permanent signal easement and ORANGE - the temporary construction easement.

A description of the areas needed is as follows:

The proposed permanent signal easement area shown outlined in GREEN is described as containing 153 square feet, located in the southeastern corner of the property, extending

approximately 31 feet along the southern property line and varies in width from approximately 8 to 20 feet in width. The proposed temporary construction easement shown outlined in ORANGE is described as containing 37 square feet, located behind the proposed permanent signal easement, extending approximately 11 feet in length and approximately 3 feet in width. This easement provides space to conduct the construction.


The South Crater Road Traffic Signal Improvements Project will improve six (6) intersections along South Crater Road between Flank Road and Rives Road. The project will include upgrading traffic signals, installing signal poles and mast arms, signal heads, video detection, pedestrian signal heads, pedestrian curb ramps, communications equipment, and other signal and pedestrian improvements.

We are all adapting to the current pandemic and have heard that the most effective way to minimize risk of the COVID-19 virus's transmission is to maximize social distance. As a temporary response to this global crisis and the request of social distancing in order to minimize contact, the agent is sending these documents to you in advance of their meeting with you in person. When you meet, the agent will explain (as applicable) all proposed changes in profile, elevation and grade of the highway and entrances, including the elevations of proposed pavement and shoulders, both center and edges, with relation to the present pavement, and the approximate grade of entrances to your property. The agent will also discuss our purchase offer with you. The meeting will give you the opportunity to ask questions and discuss with the purchase offer and any concerns or issues you may have. After you have had a chance to review the enclosed documents, please let the agent know so that they can schedule the meeting. A business card with the agent's contact information is enclosed for your ready reference.

Pursuant to § 25.1-204(B) of the Code of Virginia, the City of Petersburg has reviewed this acquisition for purposes of complying with § 1-219.1 of the Code of Virginia. The public use for this project is traffic signal improvements (South Crater Road).

Thank you for your consideration of the City's offer.

Sincerely,



Stuart Turille Jr.
City Manager
City of Petersburg, VA

ST/jm
Enclosures

Return To: KDR Real Estate Services, Inc., 2500 Grenoble Rd., Richmond, VA 23294
Title Insurance: WFG National Title Insurance Company

PID: 065-110004

Consideration: \$ 300.00

EXEMPT FROM RECORDATION TAXES AND FEES UNDER VA. CODE §§ 58.1-801, 58.1-802, AND 17.1-279(A), PURSUANT TO VA. CODE §§ 58.1-811(A)(3) AND (C)(5), AND 17.1-279(E).

THIS DEED OF EASEMENT is entered into _____, 2021, by
BHY INVESTMENT 2, LLC, a Virginia limited liability company, GRANTOR, and **the CITY OF PETERSBURG**, a municipal corporation of the Commonwealth of Virginia, GRANTEE (the "City").

WITNESSETH:

In consideration of the sum of \$10.00 paid by the Grantee to the Grantor, receipt of which is acknowledged, the Grantor conveys to the Grantee in fee simple, with GENERAL WARRANTY AND ENGLISH COVENANTS OF TITLE, the easement(s) located in the City of Petersburg, Virginia, and described as follows:

The right, privilege and easements of right of way containing 153 square feet (0.004 acre) to install, operate, construct and maintain traffic signal equipment and devices, all as more particularly described, shown and designated as "VARIABLE WIDTH PROPOSED PERMANENT SIGNAL EASEMENT, 153 S.F. (0.004 ACRES)" on a plat titled "PLAT SHOWING PROPOSED PERMANENT SIGNAL EASEMENT AND TEMPORARY CONSTRUCTION EASEMENT TO BE ACQUIRED THROUGH THE PROPERTY OF BHY INVESTMENT 2, LLC, CITY OF PETERSBURG", dated September 30, 2020, prepared by H & B Surveying and Mapping, LLC, a copy of which is attached hereto as a part hereof and is to be recorded simultaneously herewith.

Together with a 37 square foot (0.001 acre) temporary construction easement designated as "3' PROPOSED TEMPORARY CONSTRUCTION EASEMENT, 37 S.F. (0.001 ACRES)" on the Plat (the "Easements"). The Easements shall be used for all purposes related to construction of road, traffic, and related slope and drainage improvements, including access during construction. Reference is made to the Plat for a more complete description of the Easements.

The Grantee shall have the right to trim, cut, and remove trees, shrubbery, fences, or other obstructions or facilities in or near the easement(s) being conveyed

deemed by it to interfere with the proper construction, operation, and maintenance of its utility facilities within the easement; provided, however, that the Grantee at its own expense shall restore, as nearly as possible, the premises to their original condition, such restoration to include, as a minimum, backfilling of trenches, replacement of shrubbery, resodding, and reseeded of lawns and pasture areas, but not the replacement of structures, trees, or other obstructions, with the exception of mailboxes, which may be reasonably relocated as part of the replacement.

The Grantee shall have the exclusive right to inspect, rebuild, remove, repair, improve and make such changes, alterations, additions to or extensions of its equipment and devices as it shall, in its sole discretion, deem appropriate in order to properly control the traffic flow; provided, however, that all such equipment and devices (including improvements to and replacements of such equipment and devices) and construction, installation, maintenance and repair shall conform to all applicable laws, ordinances, codes and regulations.

Being a portion of the same property conveyed to BHY Investments 2, LLC, a Virginia limited liability company, by Trustees Deed from Stuart A. Simon, Substitute Trustee and I.L. Development, Inc. a Virginia corporation, dated May 29, 2019, and recorded June 20, 2019, in the City of Petersburg Circuit Court Clerk's Office as Instrument Number 190001598 and further corrected and re-recorded August 15, 2019, as Instrument Number 190002110.

The Temporary Construction Easement shall terminate upon completion of construction of the roadway improvements.

The Grantor, by the execution of this instrument, acknowledges that the plans for the project as they affect the subject property have been fully explained to the Grantor or its authorized representative.

The Grantor covenants that it has the right to convey the land to the Grantee, that it has done no act to encumber the same and that it will execute such further assurance of the same as may be necessary.

The Grantor covenants and agrees for itself, its heirs, successors, and assigns, that the consideration stated above is in lieu of any and all claims to compensation for land, and for damages, if any, to the remaining lands of the Grantor that might result by reason of the use to which the Grantee will put the land to be conveyed.

The signature and seal of the Grantor are set out below in acknowledgment of this conveyance.

SIGNATURES ON FOLLOWING PAGES

GRANTOR

**BHY INVESTMENT 2, LLC, a
Virginia limited liability company**

Printed name: _____

Title: _____

CITY/COUNTY OF _____,
STATE/ COMMONWEALTH OF _____,

The foregoing instrument was acknowledged before me _____, 2021, by
_____, _____ of BHY Investment 2, LLC, a Virginia
limited liability company, on behalf of the company.

My commission expires: _____

Notary registration number: _____

Notary Public

This Deed is accepted by the City of Petersburg, Virginia, pursuant to Va. Code § 15.2-1803. Acceptance by the City is evidenced by the following signature of an authorized official of the City of Petersburg.

Date: _____

Name: _____ (SEAL)
City Manager

CITY OF PETERSBURG
COMMONWEALTH OF VIRGINIA,

The foregoing instrument was acknowledged before me _____, 20____, by City Manager, on behalf of the City of Petersburg, Virginia.

My commission expires: _____

Notary registration number: _____

Notary Public

Approved as to form:

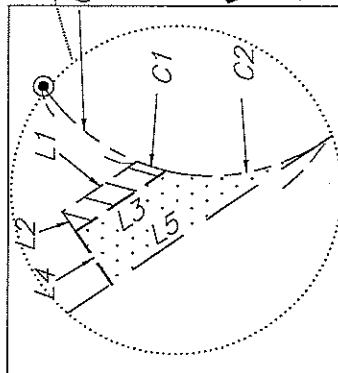
City Attorney

Date: _____

GENERAL NOTES:

1. THIS PLAT IS FOR THE SOLE PURPOSE OF SHOWING A PROPOSED PERMANENT SIGNAL EASEMENT AND A PROPOSED TEMPORARY CONSTRUCTION EASEMENT. THE BOUNDARY LINES SHOWN HEREON DO NOT REPRESENT A CURRENT BOUNDARY SURVEY. BEARINGS AND DISTANCES SHOWN HEREON ARE BASED ON THE SURVEY USED FOR THE DESIGN OF THE PROPOSED EASEMENTS.
2. THIS PLAT HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES UPON THE TITLE.
3. PHYSICAL IMPROVEMENTS NOT SHOWN HEREON FOR CLARITY.
4. DISTANCES IN PARENTHESIS () DENOTE TIES TO EASEMENT.

POORE CREEK HOLDINGS, LLC,
a VIRGINIA LIMITED LIABILITY COMPANY
INST. # 160002876
PARCEL ID: 085-140005
2744 S. CRATER ROAD



INSET "A"

LINE	BEARING	DISTANCE
L1	N 34°20'23" W	11.18'
L2	S 55°52'54" W	2.96'
L3	S 34°08'32" E	13.58'
L4	S 55°49'26" W	7.95'
L5	S 34°10'34" E	31.86'

	CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	TANGENT	CHORD	BEARING	CHORD LENGTH
	C1	25.00'	3.85'	8'48'58"	1.93'	N 17'12'55" E	3.84'	
	C2	25.00'	20.51'	46'50'44"	10.87'	N 10'41'26" W	19.94'	

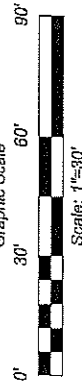
PLAT: PARCEL 4

Sheet Status:

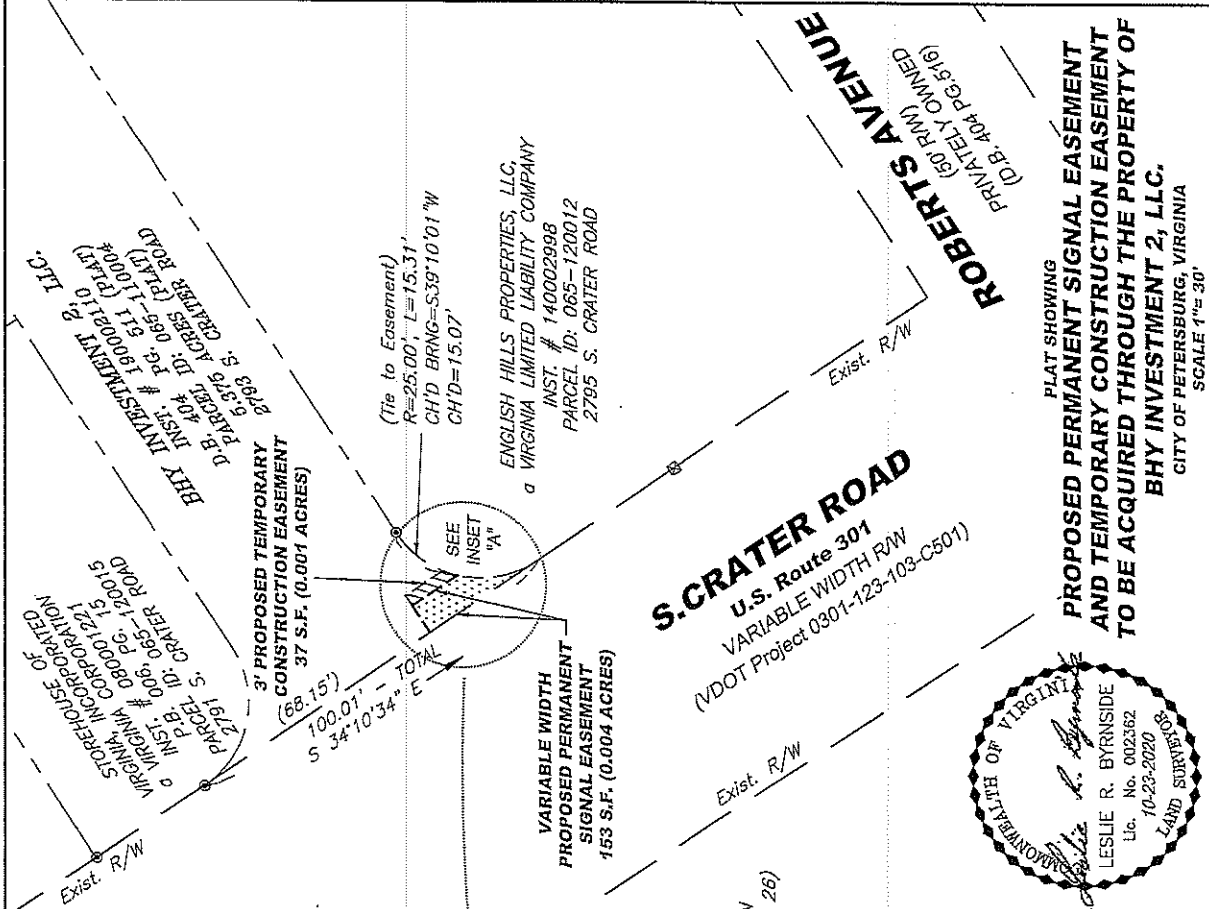
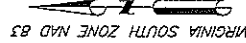
FINAL

Submitted Date:
10-23-2020

Graphic Scale



Scale: 1"=30'



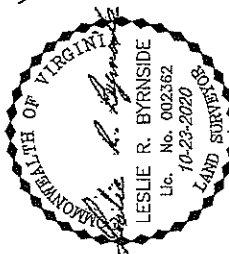
H&B Surveying and Mapping, LLC
insightful solutions, quality service
A DBE/WBE Small Certified Business
Survey
Produced at Richmond
Office Location
2105 Electric Road SW, Suite 103
Roanoke, VA 23224
840.904.2859 Off.

614 Moorefield Park Drive
Richmond, VA 23236
804.330.3781 Office
804.859.5330 Fax
www.hbsurveying.com

Job #: KH1804.01
Date: 09-30-20
Sheet: 1 of 1
Drawn By: DBG
Checked By: LRB

Rev. #	Rev. Date
1	10/09/20

**PLAT SHOWING
PROPOSED PERMANENT SIGNAL EASEMENT
AND TEMPORARY CONSTRUCTION EASEMENT
TO BE ACQUIRED THROUGH THE PROPERTY OF
BHY INVESTMENT 2, LLC.**
CITY OF PETERSBURG, VIRGINIA
SCALE 1"=30'



S. CRATER ROAD
U.S. Route 301
VARIABLE WIDTH R/W
(VDOT Project 0301-123-103-C501)

ENGLISH HILLS PROPERTIES, LLC,
a VIRGINIA LIMITED LIABILITY COMPANY
INST. # 140002998
PARCEL ID: 065-120012
2795 S. CRATER ROAD

ROBERTS AVENUE
(60' R/W)
PRIVATELY OWNED
(D.B. 404 PG. 516)

BHY INVESTMENT 2, LLC.
D.B. 404 PG. 516
INST. # 180002110
2795 S. CRATER ROAD
3' PROPOSED TEMPORARY CONSTRUCTION EASEMENT
37 S.F. (0.001 ACRES)

STORAGE OF VIRGINIA CORPORATION
INST. # 080001221
2795 S. CRATER ROAD
3' PROPOSED TEMPORARY CONSTRUCTION EASEMENT
37 S.F. (0.001 ACRES)

COMPENSATION AGREEMENT

South Crater Road Traffic Signal Improvements Project (UPC 101039) City of Petersburg

Property Owner(s): BHY INVESTMENT 2, LLC
Mailing Address: 10 Avalon Court, Bethesda, MD 20816
PID(s): 065-110004
Project Parcel No(s): 004

This Compensation Agreement (the "Agreement") dated _____, 2021, is entered into by BHY INVESTMENT 2, LLC, a Virginia limited liability company (the "Property Owner(s)"), sole owner(s) of the fee simple title to property which is the subject of a Deed of Easement between Property Owner and the City of Petersburg, Virginia, a municipal corporation of the Commonwealth of Virginia (the "City"), ("Conveyance Instrument(s)"), to be recorded in the City of Petersburg Circuit Court Clerk's Office, a copy (copies) of which is (are) attached to and incorporated into this Agreement. Any amounts required to be paid to lenders or other lien holders and/or any delinquent real estate taxes required to be paid shall be deducted from the amount due to Property Owner, except as otherwise expressly stated herein.

Property Owner and City agree as follows:

1. That payment in the amount of **\$300.00** is fair and just compensation for conveyance of the rights described in the Conveyance Instrument(s). Compensation shall be paid upon recordation of the Conveyance Instrument(s) in the Clerk's Office. Recording is contingent upon City obtaining releases and other documents as necessary to ensure that clear title to the rights under the Conveyance Instrument(s), satisfactory to City, is conveyed. Property Owner agrees to cooperate in obtaining necessary release(s) from lien holders; however, all processing fees for said release(s) shall be paid by City. City shall have no obligation under this Agreement to pay compensation to Property Owner until City has received all releases and other documents necessary to ensure clear title to the rights described in the Conveyance Instrument(s).
2. Upon execution by Property Owner of this Agreement and Conveyance Instrument(s) and acceptance by City as evidenced by the signature below, Property Owner grants to City, its agents or assigns, permission to enter the property described above for all purposes related to the project within the areas described in the Conveyance Instrument(s).
3. Additionally, upon acceptance by City, Property Owner will be provided a fully executed copy of this Agreement. *If not accepted, Property Owner will be notified in writing.*
4. The terms of this Agreement shall extend to and be binding upon the parties, their successors and assigns.

WITNESS the following signatures and seals made pursuant to due authority:

PROPERTY OWNER:

BHY INVESTMENT 2, LLC,
a Virginia limited liability company

By: _____ (SEAL)

Date: _____

Name Printed: _____

Title: _____

City of Petersburg, Virginia

By: _____ (SEAL)

Date: _____

Name Printed: _____

Title: _____

Identification Document (ID) Verification

Notary Disclosure. My duties are regulated by Section 47.1-2 of the Virginia State Code. As a notary public, I am authorized—but not required—to certify that my statements are true and/or that certain events have taken place if I have witnessed them. My official signature and seal on this form certify only that I have examined the identification documents (IDs) presented to me. I have no authorization to verify the validity of such documents or certify exact copies of original documents of which reside in the public record or the office of an official custodian.

1st Card Bearer

Printed Name, Signature, Date _____

Type of Card, Issuing Agency _____

Unique serial or card number _____

Issue date & Expiration date _____

Check each item the ID contains ☐ photo ☐ signature ☐ physical description ☐ other: _____

2nd Card Bearer

Printed Name, Signature, Date _____

Type of Card, Issuing Agency _____

Unique serial or card number _____

Issue date & Expiration date _____

Check each item the ID contains ☐ photo ☐ signature ☐ physical description ☐ other: _____

CERTIFICATE of NOTARY PUBLIC

State/Commonwealth _____

County of: _____

I, _____, the undersigned notary public, hereby certify that on the _____ day of _____, 20____, the above-listed card bearer(s) appeared before me and presented valid, unexpired identification document(s) (IDs). I further certify that I physically examined the ID(s) presented, that the ID(s) appeared to be genuine, and that the individual(s) appearing before me and presenting the ID(s) appeared to be the individual(s) represented on the ID(s).

In witness whereof, I have hereunto set my hand and seal.

Notary Public Printed Name

Notary Public Signature

Phone Number: _____

Email Address: _____

Address: _____

**CERTIFICATE OF AUTHORIZATION
FOR EUN S. LEE TO ACT ON BEHALF
OF BHY INVESTMENT 2, LLC**

The undersigned, being a/the duly elected, qualified and acting Managing Member/Manager of BHY INVESTMENT 2, LLC, does hereby certify as follows:

1. The undersigned has knowledge that and certifies that the proper statutory corporate certificate exists for BHY INVESTMENT 2, LLC, a Virginia LLC; and remains in full force and effect on the date of this certificate and have not been amended; and
2. That BHY INVESTMENT 2, LLC is active and in good standing with the State Corporation Commission of Virginia; and
3. That BHY INVESTMENT 2, LLC is a valid and existing limited liability company in the State of Virginia and that the execution and delivery of the deed documents required by the sale/transfer is valid pursuant to a valid resolution/operating agreement of the LLC; and
4. that the operative terms and provisions of the articles of organization/operating agreement provide that the Manager/Managing Member, specifically, _____, may act in the capacity of conveying real estate, including but not limited to, signing deeds on behalf of the Company and any other necessary documents related to conveyance and/or encumbrance of said real estate; and
5. that I, have thoroughly reviewed the Articles of Organization, dated April 25, 2019, and/or Operating Agreement and have determined that the Managing Members have the authority to act on behalf of said company.
6. That as of the date hereof, the LLC continues to exist and has not been dissolved for any reason, including but not limited to bankruptcy of any Member of the LLC or the LLC itself, or the death, resignation, or expulsion of any LLC Member.
7. I am Manager/Managing Member of BHY INVESTMENT 2, LLC.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands as of

the _____ day of _____, 2021.

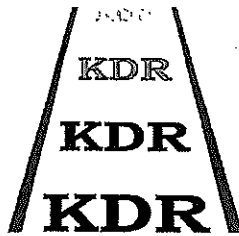
By _____

Subscribed and sworn to before me this ____ day of _____, 2021 by

Notary Public

My commission expires: _____

Registration Number: _____



KDR Real Estate Services

"When you need it done the right way"

Name of Lender

Address

City, State, Zip Code

RE: Project: South Crater Road Traffic Signal Improvements Project
Property Owner: BHY Investment 2, LLC, a Virginia limited liability company
Property Address: 2793 S. Crater Road, Petersburg, VA 23805

To Whom It May Concern:

I authorize you to release information and any documentation regarding the total/partial release for the above referenced property to the office of KDR Real Estate Services, Closing Agent for City of Petersburg, Virginia. I acknowledge that a telephonic facsimile (FAX) or photographic copy shall be as valid as the original. If during the course of the referenced project my lender changes either through assignment or refinance or the addition of a new lien holder, I hereby authorize any and all my past, current or future lien holders to communicate and share information with KDR Real Estate Services, Inc. to obtain the necessary releases, partial releases and/or subordinations needed, including any payoff information for judgments. Thank you for your assistance.

BHY Investment 2, LLC, a Virginia limited liability company

_____, Manager

Date

First Mortgage:

Loan Company: _____

Loan Number: _____

Address: _____

Phone: _____

Second Mortgage:

Loan Company: _____

Loan Number: _____

Address: _____

Phone: _____

2102/003

RESIDENTIAL SELLER'S/BORROWER'S AFFIDAVIT

County/City of _____, Commonwealth of Virginia

Commitment # _____

1. The undersigned Affiant(s) is the record titleholder of the property known and described in the Commitment referenced above or as described on the attached Exhibit (the "Property").
2. The Property is currently used as: a single family residence.
The street address of the Property is: 2793 S. Crater Road, Petersburg, VA 23805
3. The building and all improvements on the Property were completed more than 30 years ago.
4. As to Mechanic's Liens: That at no time within 120 days of the date hereof has any work, services, or labor done, or any fixtures, apparatus or material been furnished in connection with, or to the Property, except such material, fixtures, work, apparatus, labor or services that have been fully and completely paid for; that there is no indebtedness to anyone for any labor, fixtures, apparatus, material services, or work done to, upon, or in connection with the Property; that there is no claim or indebtedness; that there is no mechanics' lien claim against the Property; whether of record or otherwise;
5. As to contracts and conveyances: That no agreement or contract for conveyance, or deed, conveyance, written lease, or writing whatsoever, is in existence, adversely affecting the title to the Property, except that in connection with which this Affidavit is given;
6. As to possession: That there are no parties in possession of the Property other than the undersigned.
7. As to Judgments: That no judgment or decree has been entered in any court against said Affiant and which remains unsatisfied; that no proceedings in bankruptcy have ever been instituted by or against Affiant in any court, or before any officer of any state;
8. As to marital status: That the undersigned is single/married, and if married, the undersigned have been continuously married to each other since the undersigned first took title to the Property.
9. As to taxes and assessments: That there are no outstanding unpaid or delinquent real estate taxes or assessments against the Property; further, that there are no unpaid or delinquent water or sewer service charges against the Property;
Also, that the undersigned has not received notice, nor know of any recent future planned improvements (such as street paving, sidewalks, street lighting, surface drainage, etc.) that will or might result in a special assessment against the Property; additionally, there are no unpaid homeowners, condominium, or other special assessments affecting the Property.
10. As to violations: The Undersigned know of no violations of any zoning law or ordinance; or violations of restrictive covenants affecting the Property; or violations caused by an illegal lot division or failure to comply with any subdivision laws or ordinances.
11. As to encroachments: The Undersigned know of no encroachments of any improvements from the Property onto adjoining property including but not limited to walls and fences, easement or utility areas.
12. As to access: The Property has never had its access to and from a public street limited in any way.
13. As to building permits: The Undersigned have never been aware of problems relating to either the issuance of a building permit or to the failure to obtain one for an improvement to the Property.
14. This Affidavit is made to induce the purchase of and/or a loan secured by the Property and the issuance of a title insurance policy relating to the same; and
15. That Affiant(s) further state(s) familiarity with the nature of an oath; and with the penalties as provided by the laws of the Commonwealth for falsely swearing to statements made in an instrument of this nature and further certify that Affiant(s) has or have read or reviewed full facts of this Affidavit and understand its contents.

BHY INVESTMENT 2, LLC, a Virginia limited liability company

By: _____ {SEAL}
_____, Manager

ACKNOWLEDGED, SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC

My Commission Expires: _____

**Request for Taxpayer Identification
Number and Certification**☐ Social Security Number (SSN)☐ Employer Identification Number (EIN)

Please select the appropriate Taxpayer Identification Number (EIN or SSN) type and enter your 9 digit ID number. The EIN or SSN provided must match the name given on the "Legal Name" line to avoid backup withholding. If you do not have a Tax ID number, please reference "Specific Instructions - Section 1." If the account is in more than one name, provide the name of the individual who is recognized with the IRS as the responsible party.

Dunn & Bradstreet Universal Numbering System (DUNS) (see instructions)

Legal Name:

Business Name:

Entity Type**Entity Classification****Exemptions (see instructions)**☐ Individual☐ Corporation☐ Professional Services☐ Medical ServicesExempt payee code
(if any):☐ Sole Proprietorship☐ S-Corporation☐ Political Subdivision☐ Legal Services

(from backup withholding)

☐ Partnership☐ C-Corporation☐ Real Estate Agent☐ Joint Venture☐ Trust☐ Disregarded Entity☐ VA Local Government☐ Tax Exempt OrganizationExemption from FATCA reporting
code (if any):☐ Estate☐ Limited Liability Company☐ Federal Government☐ OTH Government☐ Government☐ Partnership☐ VA State Agency☐ Other☐ Non-Profit☐ Corporation**Contact Information**

Legal Address:

Name:

Email Address:

City: State: Zip Code:

Business Phone:

Remittance Address:

Fax Number:

Mobile Phone:

City: State: Zip Code:

Alternate Phone:

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined later in general instructions), and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification Instructions: You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See instructions titled Certification

Printed Name:

Authorized U.S. Signature:

Date:

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. The IRS has created a page on IRS.gov for information about Form W-9, at www.irs.gov/w9. Information about any future developments affecting Form W-9 (such as legislation enacted after we release it) will be posted on that page.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, payments made to you in settlement of payment card and third party network transactions, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form 8233 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien.

Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement to Form W-9 that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.
2. The treaty article addressing the income.
3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.
4. The type and amount of income that qualifies for the exemption from tax.
5. Sufficient facts to justify the exemption from tax under the terms of the treaty article.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form 8233.

What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS a percentage of such payments. This is called "backup withholding." Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain

payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:

1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see Section 2 Certification – Page 3 for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See Exempt payee code on page 3 and the separate instructions for the Requestor of Form W-9 for more information.

What is FATCA reporting? The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See Exemption from FATCA reporting code on page 3 and the instructions for the Requestor of Form W-9 for more information.

Updating Your Information

You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account, for example, if the grantor of a grantor trust dies.

Penalties

Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no

reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and criminal penalties.

Specific Instructions

Section 1 -Taxpayer Identification

Check the appropriate Tax Identification Number (TIN) type. Enter your EIN/SSN in the space provided. If you are a resident alien and you do not have and/or are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see *How to get a TIN* below.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local Social Security Administration office. Get Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can get Forms W-7 and SS-4 from the IRS by calling 1-800-TAX-FORM (1-800-829-3676) or from the IRS's Internet Web Site www.irs.gov.

If you do not have a TIN, apply for a TIN immediately, write "Applied For" in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester. **Note:** *Writing "Applied For" means that you have already applied for a TIN or that you intend to apply for one soon.*

Enter the TIN which coincides with the 'Legal Name' provided on the form.

- If you are an individual, check the "Social Security Number (SSN)" box and enter the SSN.
- If you are a Grantor or Revocable Trust, check the "Social Security Number (SSN)" box and enter the SSN of the Grantor.
- If you are a Resident Alien, check the "Social Security Number (SSN)" box and enter your SSN or

your ITIN (IRS Individual Taxpayer Identification Number).

d. If you are a Sole Proprietor, check the "Social Security Number (SSN)" box and enter the SSN of the sole proprietor.

e. If you are a Single-Member LLC that is disregarded as an entity, check the "Social Security Number (SSN)" box and enter the member's SSN.

Note: If an LLC has one owner, the LLC's default tax status is "disregarded entity". If an LLC has two owners, the LLC's default tax status is "partnership". If an LLC has elected to be taxed as a corporation, it must file IRS Form 2553 (S Corporation) or IRS Form 8832 (C Corporation).

Vendors are requested to enter their Dunn and Bradstreet Universal Numbering System (DUNS), if applicable. See number requirement below.

Dunn and Bradstreet Universal Numbering System (DUNS) number requirement. The United States Office of Management and Budget (OMB) requires all vendors that receive federal grant funds have their DUNS number recorded with and subsequently reported to the granting agency. If a contractor has multiple DUNS numbers the contractor should provide the primary number listed with the Federal government's Central Contractor Registration (CCR) at www.ccr.gov. Any entity that does not have a DUNS number can apply for one on-line at <http://www.dnb.com/us/> under the DNB D-U-N Number Tab.

Legal Name. If you are an individual, you must generally enter the name shown on your social security card. However, if you have changed your last name, for instance, due to marriage without informing the Social Security Administration of the name change, enter your first name, the last name shown on your social security card, and your new last name. If the account is in joint names, list first and then circle the name of the person or entity whose number you enter in Part I of the form. If you are using a name other than that which is listed on a Social Security Card, please enter the legal entity name as filed with the IRS. In general, enter the name shown on your income tax return. Do not enter a Disregarded Entity Name on this line.

Business Name. Business, Disregarded Entity, trade, or DBA ("doing business as") name.

Entity Type. Select the appropriate entity type.

Individual. If you are an individual, you must generally enter the name shown on your income tax return.

Sole proprietor. Enter your individual name as shown on your social security card on the "Legal Name" line. You may enter your business, trade, or

"doing business as (DBA)" name on the "Business Name" line.

Partnership. A partnership is an entity reflecting a relationship existing between two or more persons who join to carry on a trade or business. Enter the partnership's name on the "Legal Name" line. This name should match the name shown on the legal document creating the entity. You may enter your business, trade, or "doing business as (DBA)" name on the "Business Name" line.

Trust. A legal entity that acts as fiduciary, agent or trustee on behalf of a person or business entity for the purpose of administration, management and the eventual transfer of assets to a beneficial party. Enter the name of the legal entity on the "Legal Name" line.

Estate. A separate legal entity created under state law solely to transfer property from one party to another. The entity is separated by law from both the grantor and the beneficiaries. Enter the name of the legal entity on the "Legal Name" line.

Government. The Government of any State, any Political Subdivision of any State, any Agency or Instrumentality of a State or of a Political Subdivision of a State.

Non-Profit. An organization that is organized and operated exclusively for exempt purposes and none of its earnings may inure to any private shareholder or individual.

Corporation. A company recognized by law as a single body with its own powers and liabilities, separate from those of the individual members. Enter the entity's name on the "Legal Name" line and any trade or "doing business as (DBA)" name on the "Business Name" line.

S-Corporation. A corporation that is taxed like a partnership: a corporation in which five or fewer people own at least half the stock. Enter the entity's name on the "Legal Name" line and any trade or "doing business as (DBA)" name on the "Business Name" line.

C-Corporation. A business that is taxed as a separate entity: a business taxed under Subchapter C of the Internal Revenue Code and legally distinct from its owners. Enter the entity's name on the "Legal Name" line and any trade or "doing business as (DBA)" name on the "Business Name" line.

Limited liability Company (LLC). An LLC with at least two members is classified as a partnership for federal income tax purposes unless it files Form 8832 and affirmatively elects to be treated as a corporation. Enter the name of the partnership or corporation. An LLC with only one member is treated as an entity disregarded as separate from its owner for income tax purposes (but as a separate

entity for purposes of employment tax and certain excise taxes), unless it files Form 8832 and affirmatively elects to be treated as a corporation. If you are a single-member LLC (including a foreign LLC with a domestic owner) that is disregarded as an entity separate from its owner, enter the owner's name on the "Legal Name" line. **Caution:** A disregarded domestic entity that has a foreign owner must use the appropriate Form W-8.

Entity Classification. Select the appropriate classification type.

Contact Information. Enter your contact information.

Enter your **Legal Address**. Enter your **Remittance Address**. A **Remittance Address** is the location in which you or your entity receives business payments.

Enter your **Business Phone Number**. Enter your **Mobile Phone Number**, if applicable. Enter your **Fax Number**, if applicable. Enter your **Email Address**.

For clarification on IRS Guidelines, see www.irs.gov.

Exemptions

If you are exempt from backup withholding and/or FATCA reporting, enter in the Exemptions box, any code(s) that may apply to you. See Exempt payee code and Exemption from FATCA reporting code below.

Exempt payee code. Generally, individuals (including sole proprietors) are not exempt from backup withholding. Corporations are exempt from backup withholding for certain payments, such as interest and dividends. Corporations are not exempt from backup withholding for payments made in settlement of payment card or third party network transactions.

Note. If you are exempt from backup withholding, you should still complete this form to avoid possible erroneous backup withholding.

The following codes identify payees that are exempt from backup withholding:

- 1 - An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(f)(2)
- 2 - The United States or any of its agencies or instrumentalities
- 3 - A state, the District of Columbia, a possession of the United States, or any of their political subdivisions, or instrumentalities
- 4 - A foreign government or any of its political subdivisions, agencies, or instrumentalities
- 5 - A corporation

- 6 - A dealer in securities or commodities required to register in the United States, the District of Columbia, or a possession of the United States
- 7 - A futures commission merchant registered with the Commodity Futures Trading Commission
- 8 - A real estate investment trust
- 9 - An entity registered at all times during the tax year under the Investment Company Act of 1940
- 10 - A common trust fund operated by a bank under section 584(a)
- 11 - A financial institution
- 12 - A middleman known in the investment community as a nominee or custodian
- 13 - A trust exempt from tax under section 664 or described in section 4947.

The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

If the payment is for...	THEN the payment is exempt for...
Interest and dividend payments	All exempt payees except for 7
Broker transactions	Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.
Barter exchange transactions and patronage dividends	Exempt payees 1 through 4
Payments over \$600 required to be reported and direct sales over \$5,000 ¹	Generally, exempt payees 1 through 5 ²
Payments made in settlement of payment card or third party network transactions	Exempt payees 1 through 4

¹See Form 1099-MISC, Miscellaneous Income, and its instructions.

²However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys' fees, gross proceeds paid to an attorney, and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements.

- A - An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)
- B - The United States or any of its agencies or instrumentalities
- C - A state, the District of Columbia, a possession of the United States, or any of their political subdivisions or instrumentalities
- D - A corporation the stock of which is regularly traded on one or more established securities markets, as described in Reg. section 1.1472-1(c)(1)(i)
- E - A corporation that is a member of the same expanded affiliated group as a corporation described in Reg. section 1.1472-1(c)(1)(i)
- F - A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state
- G - A real estate investment trust
- H - A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940
- I - A common trust fund as defined in section 584(a)
- J - A bank as defined in section 581
- K - A broker
- L - A trust exempt from tax under section 664 or described in section 4947(a)(1)
- M - A tax exempt trust under a section 403(b) plan or section 457(g) plan

Section 2 - Certification

To establish to the paying agent that your TIN is correct, you are not subject to backup withholding, or you are a U.S. person, or resident alien, sign the certification on Form W-9. You are being requested to sign by the Commonwealth of Virginia.

For a joint account, only the person whose TIN is shown in Part I should sign (when required).

Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

Submission:

Commonwealth Vendor Group
Post Office Box 1971
Richmond, VA 23218-1971

Select Search Services

TITLE SEARCH REPORT

This Title Search Report is given for use of the individual to whom it is addressed. This is a report of matters appearing in the official land records of the county or city where said property is located, only. This report does not include items, such as mortgages, judgments, liens and other matters for which have recorded satisfactions or releases, and possible other matters which, would not appear in a title search. The amount shown in said Report for any deeds of trust, judgments and/or taxes is for informational purposes only. Said recipient is responsible for confirming amounts for payoff, proration purposes or other purposes. The liability under this Search Report shall cease and terminate six months after the ending date set forth in the Period of the search.

ORDER/Reference: KDR Real Estate – 2793 S. Crater Rd., Petersburg, VA
(2102 S. Crater Signals f/k/a Petersburg Intersection Proj. #004)

TITLE TO THE BELOW DESCRIBED PROPERTY IS VESTED OF RECORD IN:

BHY Investments 2, LLC

☐ t/e w/s ☐ j/t w/s ☐ t/c ☐ no tenancy ☐ prtshp ☐ corp ☒ LLC

☒ UNDER THE FOLLOWING DEED:

Grantor(s): Stuart A. Simon, Substitute Trustee and I.L. Development, Inc.

Dated: 5-29-2019 Recorded: 8-15-2019 Deed Bk & Pg./Inst. 190002110
(Rerecording of 190001598)

☐ Current owner is surviving tenant of survivorship tenancy created in the above deed.
Deceased tenant died pursuant to information at /in

☐ UNDER THE WILL OF:

Date of Death: Date of Probate:
Will Book & Pg./Inst. No:

☐ BY INHERITANCE FROM:

Date of Death:
Heirs determined by:
IF PROPERTY ACQUIRED BY WILL OR INHERITANCE
Decedent Acquired The Property By:

BRIEF LEGAL DESCRIPTION:

☐ Use description on attached page(s) marked "description" in brackets " "

☒ Use description in Schedule A of Deed recorded in/as Inst# 190002110

THE PROPERTY LIES IN THE City of Petersburg VIRGINIA. Recordation references are to the Clerk's Office of the Circuit Court thereof unless otherwise stated.

DEEDS OF TRUST: () None

1. Grantor(s): BHY Investment 2 LLC

Trustee(s): Kurtis J. Marx and R. Scott Ritter

Lender: United Bank

Dated 6-17-2019 Recorded: 6-20-2019 Deed Book-Page / Inst. No: 190001599

Amount: \$1,000,000.00

Beneficiary:

Assignments, Subordination Agmts, etc.: Assignment of Rents, Instr#
and Recorded:

Dated:

AGREEMENTS AND DECLARATIONS:

1. Agreement & Declaration, DB404-PG511 Dated 5-9-1984 and Recorded 5-10-1984;
Ammended in DB 448-PG32, Dated 6-23-1987 and Recorded 2-24-1988.

JUDGMENTS (not including purchaser(s) which are found on next page): (X) None

UCC/FINANCING STATEMENTS: (x) None

Filed as Financing Statement No.

Debtor:

Secured Party:

() See additional Financing Statements attached

TAX & ASSESSMENT INFORMATION: INFORMATION & PRINTOUT NOT WARRANTED.
CONTACT TREASURER TO CONFIRM.

Address 2793 S. Crater Rd., Petersburg, VA Tax Map/ID# 065110004

Land \$ 234,100 Improvements \$ 1,088,700 Total \$ 1,322,800

Annual Amt \$ 17,857.80 Taxes Payable on: Quarterly – 9/30/20, 12/31/20, 03/31/21, & 06/30/21

Taxes Paid Thru 2nd quarter Delinquent Taxes: No

Taxes a Lien, Not Yet Due: \$8,928.90 (\$4,464.45 Due 3rd and 4th quarters)

Town Taxes, Exemptions, Rollback, Supplementals, Stormwater Fees, Etc:

RESTRICTIONS AND/OR DECLARATIONS: (X) None

Dated:

Recorded:

DB & PG/Inst. No:

Amendments at:

Contain Reverter: () Yes () No

Contain Easements (Not Shown on Subd. Plat () Yes () No

Contain Assessments: () Yes () No

Party Walls: () Yes () No

DEEDED EASEMENTS: () NONE

Deed of Easement and Subordination Agreement, DB448-PG16; Dated 6-23-1987 and Recorded 2-24-1988.

ITEMS SHOWN ON PLAT OF SUBDIVISION/PROPERTY recorded in/as DB448_PG38
() None

1. 10' Water Lane Easement
2. Easement parallel to Parcel C.
3. 50' R/W on Avenue..

ITEMS SHOWN ON OTHER PLAT recorded in/as (X) None

ACCESS:

- (X) Public street(s) named: U.S. Rte. 301/S. Crater Road
- () Appurtenant easement created by Deed Book & Pg./Inst. No.:
- () Road Maintenance Agreement in Deed Book & Pg./Inst. No.:

OTHER MATTERS: () None

SEARCH TYPE: () Current Owner () Two Owner
() Standard Residential (X) Commercial
() Other: with policy

BACK TITLE INFO RELIED UPON IS Policy/Case #

Items to be picked up from this policy affecting the property listed on page 1 are as follows: N/A

EFFECTIVE DATE: 3-9-2021 @ 8:00 A.M.

SEARCHER: Rigina Easell

THIS REPORT CONSISTS OF 3 PAGES, excluding document copies, adverse sheets, etc



e-Treasurer *Easy Pay*

Questions & Comments Call: 804-733-2349 Email: City Collector

- Reprint Real Estate Taxes Paid

Department: RIE2020 Ticket No: 8950003 Frequency: 3 Supplement No: 0

Name: BHY INVESTMENT 2 LLC Account No: 12674

Name 2:

Map No: 065 110004

Address:

District: 01

10 AVALON CT

Description: 2793 S CRATER ROAD

BETHESDA MD 20816

PARCEL A 5.375 ACRES

Bill Date: 01/01/2021

Due Date: 03/31/2021

Land Value: \$234,100

Improvement Value: \$1,088,700

Original Bill: \$4,464.45

Acres: 53750

Last Date: 01/01/2021

Payments: \$0.00

Penalty Paid: \$0.00

Interest Paid: \$0.00

Amount Owed: \$4,464.45

Total Owed: \$4,464.45

Penalty: \$0.00

Interest: \$0.00

Note: If payment was received within the past 10 business days,
then any returned items may not be posted at this time.

Date	Type	Transaction No.	Amount	Balance
01/01/2021	Charge	0	\$ 4464.45	\$ 4464.45

New Search Previous

JACKIE ABRAMOV
8046721368
KDR REAL ESTATE
2500 GRENOBLE ROAD
RICHMOND VA 23294

1 LBS PAK

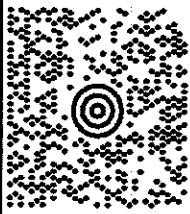
1 OF 1

SHIP TO:

EUN S. LEE, MANAGER
BHY INVESTMENT 2, LLC
10 AVALON COURT

7-28-24

BETHESDA MD 20816-1124



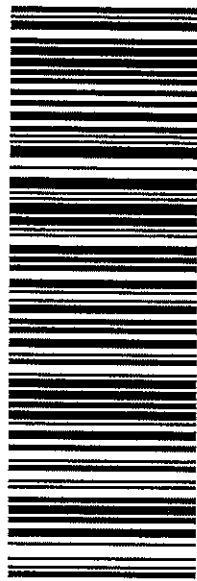
MD 207 9-84



UPS NEXT DAY AIR

1

TRACKING #: 1Z E27 W16 NT 9279 1202



BILLING: P/P
ATTENTION UPS DRIVER: SHIPPER RELEASE

Reference#1: 2102-South Crater/Parcel 004
Reference#2: Offer Package



WINTNV50 30.0A 07/2021*

Proof of Delivery

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number

1ZE27W16NT92791202

Weight

1.00 LBS

Service

UPS Next Day Air®

Shipped / Billed On

07/28/2021

Delivered On

07/29/2021 11:03 A.M.

Delivered To

10 AVALON CT
BETHESDA, MD, 20816, US

Left At

Front Door

Reference Number(s)

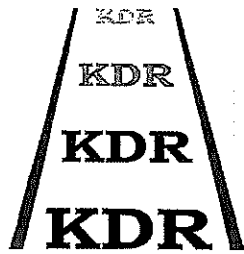
OFFER PACKAGE, 2102-SOUTH CRATER/PARCEL 004

Thank you for giving us this opportunity to serve you. Details are only available for shipments delivered within the last 120 days. Please print for your records if you require this information after 120 days.

Sincerely,

UPS

Tracking results provided by UPS: 07/29/2021 11:08 A.M. EST



KDR Real Estate Services

"When you need it done the right way"

VIA UPS OVERNIGHT DELIVERY

August 16, 2021

BHY Investment 2, LLC
c/o Eun S. Lee, Manager
10 Avalon Court
Bethesda, MD 20816

Re: South Crater Road Traffic Signal Improvements Project (UPC 101039)
State Project No: 0301-123-259, RW201
Property Owner: BHY Investment 2, LLC, a Virginia limited liability company
Property Address: 2793 S. Crater Road, Petersburg, VA 23805
PID No.(s): 065-110004
Parcel No(s): 004

Dear Mr. Lee,

Please find enclosed the following documents for your signature:

- Deed of Easement, with plat attached setting forth the rights to be acquired
- Compensation Agreement
- Verification of Identity
- Certificate of Authorization
- Third Party Mortgage Authorization
- Owner/Seller Affidavit
- Commonwealth of Virginia Substitute W-9 Form (Form W-9)

On the compensation agreement, please cross one line through the \$300 and write in "\$500" and initial next to it.

Also, the following information will be required:

- Reinstatement with Virginia State Corporation Commission

Sincerely,

Jackie Abramov, SR/WA
KDR Right of Way Specialist

JACKIE ABRAMOV
8046721368
KDR REAL ESTATE
2500 GRENABLE ROAD
RICHMOND VA 23294

LTR

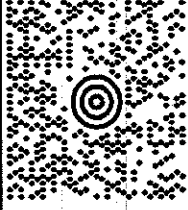
1 OF 1

8-16-21

SHIP TO:

EUN S. LEE, MANAGER
BHY INVESTMENT 2, LLC
10 AVALON COURT

BETHESDA MD 20816-1124



MD 207 9-84



UPS NEXT DAY AIR

1

TRACKING #: 1Z E27 W16 NT 9726 9643



BILLING: P/P
ATTENTION UPS DRIVER: SHIPPER RELEASE



Reference#1: 2102-South Crater/Parcel 004

Reference#2: Documents for Signature
US 22.0.18.001105053.0A 08/2021*

Proof of Delivery

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number

1ZE27W16NT97269643

Service

UPS Next Day Air®

Shipped / Billed On

08/16/2021

Delivered On

08/17/2021 11:39 A.M.

Delivered To

10 AVALON CT
BETHESDA, MD, 20816, US

Left At

Front Door

Reference Number(s)

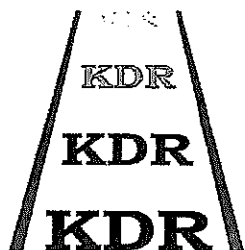
DOCUMENTS FOR SIGNATURE, 2102-SOUTH CRATER/PARCEL 004

Thank you for giving us this opportunity to serve you. Details are only available for shipments delivered within the last 120 days. Please print for your records if you require this information after 120 days.

Sincerely,

UPS

Tracking results provided by UPS: 08/17/2021 11:42 A.M. EST



KDR Real Estate Services

"When you need it done the right way"

VIA USPS PRIORITY MAIL

November 23, 2021

BHY Investment 2, LLC
c/o Eun S. Lee, Manager
10 Avalon Court
Bethesda, MD 20816

Re: South Crater Road Traffic Signal Improvements Project (UPC 101039)
State Project No: 0301-123-259, RW201
Property Owner: BHY Investment 2, LLC, a Virginia limited liability company
Property Address: 2793 S. Crater Road, Petersburg, VA 23805
PID No.(s): 065-110004
Parcel No(s): 004

Dear Mr. Lee:

On July 29, 2021 an offer package was delivered to you, containing the City of Petersburg's offer to purchase property rights necessary for the construction of the above- referenced project. We last spoke on October 14, 2021, and at that time you advised that you would be sending me the signed documents for this project. To date, I have not received them.

It is imperative that we complete the acquisition soon in order to maintain the project schedule. With that in mind, please provide a response *within two weeks*.

If you feel it is necessary, I would be happy to schedule a time to speak with you to further discuss this project and answer any additional questions. You may contact me by postal mail, email or telephone. I can be reached at **804.956.4674** or by email at **jabramov@kdrrealestate.com**. A business card with my contact information is enclosed for your reference.

Pursuant to § 25.1-204(B) of the Code of Virginia, the City of Petersburg has reviewed this acquisition for purposes of complying with § 1-219.1 of the Code of Virginia. The public use for this project is roadway improvements.

Thank you for your consideration of the City's offer.

Sincerely,

Jaclyn M. Abramov
Right of Way Specialist



US POSTAGE AND FEES PAID
NOV 23 2021 Mailed from ZIP 23294
PM Flat Rate Envelope
Commercial Plus Price



stamps
endicia 062S14404718

PRIORITY MAIL 2-DAY™

Mrs. Jackie Abramov
Right of Way Specialist
KDR Real Estate Services
2500 Grenoble Road
Richmond VA 23294-3614

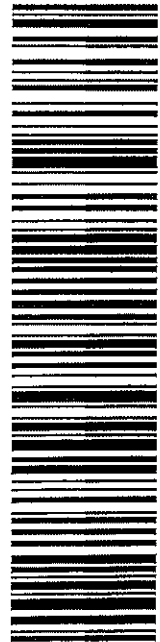
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SHIP

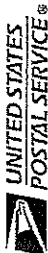
TO: BHY Investment 2 LLC
c/o Eun S. Lee, Manager
10 AVALON CT
Bethesda MD 20816-1124

2102-South Crater Road/004/cs
Contact Request Letter - BHY Investment 2, LLC

USPS TRACKING #



9405 5112 0253 0441 9104 73



Powered By:

[Track Another Package +](#)

Tracking Number: 9405511202530441910473

[Remove X](#)

Your item was delivered in or at the mailbox at 5:17 pm on November 26, 2021 in BETHESDA, MD 20816.

USPS Tracking Plus™ Available 

 **Delivered, In/At Mailbox**

November 26, 2021 at 5:17 pm
BETHESDA, MD 20816

Get Updates 

Feedback

Text & Email Updates



Tracking History



November 26, 2021, 5:17 pm
Delivered, In/At Mailbox
BETHESDA, MD 20816

Your item was delivered in or at the mailbox at 5:17 pm on November 26, 2021 in BETHESDA, MD 20816.

November 26, 2021, 6:10 am
Out for Delivery
BETHESDA, MD 20816

November 25, 2021, 11:51 am
Arrived at Hub
BETHESDA, MD 20817

November 25, 2021, 7:13 am
Arrived at USPS Facility
BETHESDA, MD 20817

November 25, 2021, 2:51 am
Departed USPS Regional Facility
WASHINGTON DC NETWORK DISTRIBUTION CENTER

November 24, 2021, 1:47 pm
Arrived at USPS Regional Facility
WASHINGTON DC NETWORK DISTRIBUTION CENTER

November 24, 2021, 1:01 pm
Departed USPS Facility
HYATTSVILLE, MD 20785

November 24, 2021, 5:40 am
Arrived at USPS Facility
HYATTSVILLE, MD 20785

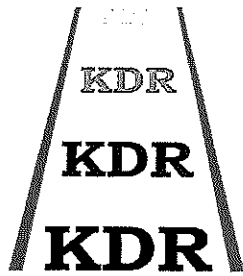
November 24, 2021, 2:51 am
Departed USPS Regional Facility
RICHMOND VA DISTRIBUTION CENTER

November 24, 2021, 12:01 am
Arrived at USPS Regional Facility
RICHMOND VA DISTRIBUTION CENTER

November 23, 2021, 10:46 pm
Accepted at USPS Origin Facility
HENRICO, VA 23294

November 23, 2021, 5:07 pm
Shipping Label Created, USPS Awaiting Item
HENRICO, VA 23294

Feedback



KDR Real Estate Services

"When you need it done the right way"

UPS OVERNIGHT

BHY Investment 2, LLC
c/o Eun S. Lee, Manager
10 Avalon Court
Bethesda, MD 20816

Re: South Crater Road Traffic Signal Improvements Project (UPC 101039)
State Project No: 0301-123-259, RW201
Property Owner: BHY Investment 2, LLC, a Virginia limited liability company
Property Address: 2793 S. Crater Road, Petersburg, VA 23805
PID No.(s): 065-110004
Parcel No(s).: 004

Dear Mr. Lee:

As Jackie Abramov, KDR Right of Way Specialist, has previously discussed, the City of Petersburg ("CITY") plans to begin construction of the above project soon. In order to do so it is necessary for us to acquire a portion of your property. She has described the portion that the CITY needs to acquire and the impact the construction will have on your remaining property. She has given you a copy of the conveyance instrument with plat attached, compensation agreement, third party/mortgage authorization, title report, certificate of authorization, the highway plan sheet, profile sheet, and a Basic Acquisition Report that establishes our estimate of the value of the property and any other rights that we need to acquire from you.

As of the date of this letter, we still have not been able to reach a mutual agreement on the amount of compensation you will accept in return for voluntarily conveying the land and any necessary rights to the CITY. We have talked about the fact that if we cannot reach an agreement in a timely manner, it will be necessary for the CITY to acquire the property by condemnation. Jackie has explained the condemnation process to you.

Condemnation is not the preferred manner of acquiring property for highway projects and the CITY strives to avoid it whenever possible.

Unfortunately we are now at the point at which we need to either reach agreement or the CITY must begin the condemnation process. As a follow-up to the last contact on

November 30, 2021, and in an effort to reach a mutually acceptable resolution and thereby eliminating the necessity for condemnation, I respectfully request that you reconsider the last offer we made. If you feel you cannot accept that offer, I would very much appreciate your communicating to me the minimum amount you would accept in return for voluntarily conveying the needed property and rights to the CITY. I assure you it will receive my prompt attention and consideration and you will receive a prompt reply concerning our ability to accept it.

If I have not heard from you in **two weeks (December 16, 2021)** I will assume that we are not able to reach a mutual agreement and that there is no offer that we are able to make that you would accept. In that event, we will have no other option but to turn this over to the city to consider condemnation in order to avoid delaying the project. You will be notified by separate letter if the city moves forward with condemnation proceedings.

Please understand that pursuing condemnation is not intended to prohibit any further negotiations. If at any time you feel that there is a mutually acceptable resolution, please let me know so that we can pursue a settlement.

I can be reached at **804.956.4672** or by email at **jdykes@kdrrealestate.com**. A business card with my contact information is enclosed for your ready reference.

Sincerely,



Jefferson L. Dykes, SR/WA
KDR Project Manager

JLD/jm

On Behalf of:
City of Petersburg

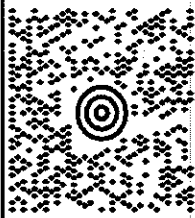
JEFF DYKES
8046721368
KOR REAL ESTATE
2500 GRENOBLE ROAD
RICHMOND VA 23294

LTR

1 OF 1

SHIP TO:
EUN S. LEE, MANAGER
BHY INVESTMENT 2, LLC
10 AVALON COURT
BETHESDA MD 20816

12-2-21



MD 207 9-84



UPS NEXT DAY AIR SAVER 1P

TRACKING #: 1Z E27 W16 13 9329 7147



BILLING: P/P



Reference #1: 2102 South Crater Signals/004
Reference #2: Follow Up Letter
XOL21:11:21 NV45 49.0A 11/2021*

Proof of Delivery

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number

1ZE27W161393297147

Service

UPS Next Day Air Saver®

Shipped / Billed On

12/02/2021

Delivered On

12/03/2021 4:17 P.M.

Delivered To

10 AVALON CT
BETHESDA, MD, 20816, US

Received By

DRIVER RELEASE

Left At

Front Door

Reference Number(s)

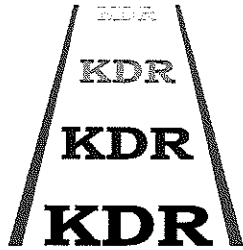
FOLLOW UP LETTER, 2102 SOUTH CRATER SIGNALS/004

Thank you for giving us this opportunity to serve you. Details are only available for shipments delivered within the last 120 days. Please print for your records if you require this information after 120 days.

Sincerely,

UPS

Tracking results provided by UPS: 12/06/2021 8:16 A.M. EST



KDR Real Estate Services

"When you need it done the right way"

January 5, 2022

Mr. William Riggleman
Office of Development and Operations
1340 East Washington Street
Petersburg, VA 23803

Re: South Crater Road Traffic Signal Improvements Project (UPC 101039)
State Project No: 0301-123-259, RW201
Property Owner: BHY Investment 2, LLC, a Virginia limited liability company
Property Address: 2793 S. Crater Road, Petersburg, VA 23805
PID No.(s): 065-110004
Parcel No(s).: 004

Dear Mr. Riggleman:

Enclosed please find the legal file for Parcel 004 BHY Investment 2, LLC, a Virginia limited liability company, for the South Crater Road Traffic Signal Improvements Project.

KDR recommends moving forward with the Eminent Domain Process. The offer package was mailed on July 28, 2021. Mr. Lee agreed upon a negotiated amount and then said he is refusing to sign anything. An impasse "hard" letter requesting response from the Landowner has been sent with no response from Mr. Lee.

Please contact me at 804.956.4672 or jdykes@kdrrealestate.com should you need additional information.

Sincerely,

Jefferson L. Dykes, SR/WA
KDR Project Manager



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Stuart Turille, City Manager
Tangela Innis, Deputy City Manager

FROM: Brian Moore

RE: **A Resolution authorizing the City Manager to Execute the Performance Agreement between the City of Petersburg, City of Petersburg Economic Development Authority and Tabb Street Development, LLC. (page 393)**

PURPOSE: A Resolution authorizing the City Manager to Execute the Performance Agreement between the City of Petersburg, City of Petersburg Economic Development Authority and Tabb Street Development, LLC

REASON: To consider a Resolution authorizing the City Manager to Execute the Performance Agreement between the City of Petersburg, City of Petersburg Economic Development Authority and Tabb Street Development, LLC.

RECOMMENDATION: The Department of Economic Development recommends that the City Council approves the resolution authorizing the City Manager to Execute the Performance Agreement between the City of Petersburg, City of Petersburg Economic Development Authority and Tabb Street Development, LLC.

BACKGROUND: The City Council adopted the ordinance 21-ORD-70 on November 3, 2021 to establish the Tourism Finance Program under the Tourism Zone. The Tourism Finance Program allows qualifying businesses that are located within the Tourism Zone to apply fifty percent of their meals and lodging taxes to their revolving loan payment on a quarterly basis. Tabb Street Development has met the criteria for this program.

COST TO CITY: 50% of meals and lodging taxes generated by Hotel Petersburg not to exceed three million dollars for a period not to exceed 10 years

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the meals and lodging taxes

CITY COUNCIL HEARING DATE: 4/19/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, Commissioner of Revenue

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 21-ORD-70

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Resolution
2. Petersburg hotel performance agreement 4.15.2022

Resolution

A Resolution authorizing the City Manager to Execute the Performance Agreement between the City of Petersburg, City of Petersburg Economic Development Authority and Tabb Street Development, LLC

WHEREAS; The City Council adopted the ordinance 21-ORD-70 on November 3, 2021, establishing the Tourism Finance Program under the Tourism Zone, and;

WHEREAS; Tabb Street Development, LLC has been approved for a two million dollar revolving loan with the Economic Development Authority, and

WHEREAS; Tabb Street Development has met the criteria to be eligible for the City of Petersburg Tourism Finance Program; and

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Petersburg hereby approves the City Manager to execute the performance agreement between the City of Petersburg, City of Petersburg Economic Development Authority, and Tabb Street Development, LLC.

ECONOMIC DEVELOPMENT PERFORMANCE AGREEMENT

This Economic Development Performance Agreement (“Agreement”) is entered into and effective as of April ____, 2022, by and among **TABB STREET DEVELOPMENT LLC**, a Virginia limited liability company, (the “Company”), the **CITY OF PETERSBURG, VIRGINIA**, a municipal corporation and Virginia political subdivision, (the “City”), and the **ECONOMIC DEVELOPMENT AUTHORITY OF THE CITY OF PETERSBURG, VIRGINIA**, a Virginia political subdivision (the “Authority”), to describe the agreement between the parties about the Authority’s economic development incentives to assist the Company in development of property for a hotel with common street address of 20 West Tabb Street, in the City of Petersburg, Virginia.

WHEREAS, the City is authorized pursuant to Section 15.2-953(B) of the *Code of Virginia* of 1950, as amended (the “Virginia Code”), to make donations and appropriations of money to the Authority for the purposes of promoting economic development, and the Authority is authorized pursuant to Section 15.2-4905(12) of the Virginia Code, to accept such contributions, grants and other financial assistance from the City, and pursuant to Section 15.2-4905(13) of the Virginia Code to make grants to any person, partnership, association, corporation, business or governmental entity for the purposes of promoting economic development; and

WHEREAS, the Authority is vitally interested in the economic welfare of City citizens and the creation and maintenance of sustainable jobs, and it wishes to stimulate investment in the City to provide economic growth and development opportunities; and

WHEREAS, the Company intends to develop the Site (as hereinafter defined) as a hotel (the “Hotel”); and

WHEREAS, the development of the Site will benefit the City through the generation of additional tax revenues and the creation of new employment opportunities, as well as remove blight and generate additional foot traffic and spending in the historic commercial district, and the Authority has offered economic development incentives to induce the Company to develop the Site as provided in this Agreement; and,

WHEREAS, the Company will cause the investment of an amount estimated to be approximately \$16 million through its development of the Site, and the Company estimates that the total Tax Revenues, to include Food, Beverage, and Lodging taxes, Real Property taxes, Stormwater taxes, Utility taxes, State Sales taxes (1%), Business Personal Property taxes, State Sales Tax Schools (1%), Business License tax, , from the Site in the 11 years following completion of the Hotel Project (as hereinafter defined) will be approximately \$5.2 million (collectively, the “Tax Revenues”) ; and

WHEREAS, in order to supplement other financial resources necessary to complete the construction of the Hotel Project, the Company has indicated it needs approximately \$2.6 million dollars in financing to complete the Hotel Project (“Gap Financing Need”); and

WHEREAS, in order to induce the Company to make the investment, create new jobs in the City, and construct the Hotel Project, the Authority is willing to loan the Company funds to meet the Gap Financing Need (the “Loan”) and offer loan forgiveness incentives to the Company based upon certain Tax Revenues paid to the City from the Hotel Project and the operation of the Hotel Project at

the Site to serve as a credit against debt service due on the Loan; and

WHEREAS, the City is willing to appropriate and provide funds to the Authority, in support of the Authority's economic development efforts and the development of the portion of the City in which the Site is located incentive grants, with the expectation that the Authority will provide the funds as a Loan to the Company, provided that the Company meets certain performance criteria relating to the Company's investment and creation of jobs; and

WHEREAS, \$2 million of the funds appropriated by the City to the Authority are derived from general funds; and

WHEREAS, \$600,000 of the funds appropriated by the City to the Authority are derived from the Commonwealth of Virginia's Industrial Revitalization Fund Program; and

WHEREAS, the City, the Authority and the Company desire to set forth their understanding and agreement as to the disbursement of the Loan, repayment thereof and the related incentive credits hereunder, and the obligations of the Company regarding investment and job creation related to the Hotel Project.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements set forth herein, the parties hereby agree as follows:

I. **DEFINITIONS.** The following terms shall be defined as follows:

"Construction" means the restoration and renovation of the existing six-story structure located on the Site with improvements to the appurtenances thereto.

"Director" means the Director of Finance for the City.

"Full Time Equivalent Positions" means a full-time job at the Site which meets a minimum of either (i) 35 hours of an employee's time per week for the entire normal year of the Hotel's operations, which "normal year" must consist of at least 48 weeks, or (ii) 1,680 hours per year. Seasonal or temporary positions, and positions with construction contractors, vendors, suppliers and similar multiplier or spin-off jobs shall not qualify as Full Time Equivalent Positions.

"First Full Taxable Year" means, at the election of the Company, either the first full tax year (January 1 – December 31) following the year during which the Project was completed or the full tax year during which the Project is completed. The parties anticipate completion of the Project in 2023; if so, the First Full Taxable Year will be either 2023 or 2024 at the election of the Company. In no event may the First Full Taxable Year be later than 2024.

"Gap Financing" means the amount of financing required by the Company to supplement other financial resources necessary to complete the construction of the Hotel. This amount is hereby established at a principal amount of up to Two Million Six Hundred Thousand dollars (\$2,600,000.00) and interest on the unpaid balance as determined at closing.

“Incentive Credits” means the economic development incentive credits provided by the Authority from time to time hereunder and consisting of the offset of payments due under the Loan by the Company by the amount of the FB&L Tax Revenue set forth in Section V of this Agreement.

“Loan” shall mean the amount loaned by the Authority to the Company, up to the amount of \$2,600,000, as set forth in Section II hereof and as reflected in the Note.

“Note” shall mean the promissory notes of the Company in the form attached hereto as Exhibit C.

“Payment Period” means the First Full Taxable Year and the nine succeeding tax years.

“Hotel Project” means the construction of a 3.5+ star/diamond boutique hotel and development of the Site, located at 20 West Tabb Street in the City all as approved by the City and described in Exhibit A.

“Site” means the real property presently designated by the City as Parcel ID No. 011 250002 as depicted in Exhibit A, or as the boundaries of such parcel may hereafter be adjusted via duly approved plat recorded in the land records of the City.

“Tax Period” means the quarterly period for which FB&L Tax Revenues will be computed for an Incentive Credit..

“FB&L Tax Revenue” means the sum of taxes on transient lodgers and the taxes on purchases of meals as prescribed by sections 106-261, *et seq.* and 106-291, *et seq.* of the ***Code of the City of Petersburg***, as amended, respectively, generated from the operation of the Hotel Project at the Site and paid to the City, in a Tax Period for which the Company is entitled to an Incentive Credit hereunder. The Director will determine the amount of FB&L Tax Revenue using the best available information, which may include confidential information that cannot be disclosed without taxpayer consent.

“Total Project Cost” means the actual cost of design, engineering, and construction of the Hotel, as certified by the Company to the Authority and verified by the Authority and the Director pursuant to Section II(D) of this Agreement.

II. **GAP FINANCING LOAN.** The Authority agrees to make the Loan to the Company in the aggregate principal amount of up to the Gap Financing Need (\$2,600,000) payable in three tranches as follows– (A) the amount of \$1,400,000 payable on the date hereof upon delivery of the Note by the Company, (B) the amount of \$600,000 payable upon receipt of the Industrial Revitalization Fund Program funds by the City, expected to be on _____, 2022 and (C) the amount of up to \$600,000 as certified by the Company as required to complete the Project. In the event the City does not receive the Industrial Revitalization Fund Program funds by _____, 2022, the Authority will request the City to appropriate funds to meet the Gap Financing Need. If the City fails to appropriate such amount the amount of the Loan hereunder shall be reduced to reflect the amount provided by the Authority hereunder.

III. **TERMS OF THE LOAN.** The Loan and the Note shall have an interest rate of 2.5%

percent per annum and shall be payable over 10 years. Principal and interest shall be payable in quarterly installments on each February 1, May 1, August 1, and November 1, The first payment shall commence at the end of the first full quarter that the Hotel is in operation subject to offset by the Incentive Credit set forth in Section V hereof, provided that in no event shall the first payment be due later than December 31, 2024. Any FB&L Revenue generated by the Hotel prior to the first full quarter shall be applied to the Incentive Credit for the first payment. . The Loan and the Notes shall also be secured by a Second Position Deed of Trust (the “Second Deed of Trust”) on the Hotel property from the Company, subordinate to the Company’s primary lender in the form attached hereto as Exhibit B. \$2,000,000 of the Note derived from the City’s general fund shall be secured by a personal guaranty of Nathaniel W. Cuthbert (the “Personal Guaranty”) in the form attached hereto as Exhibit D. No proceeds of the Loan shall be disbursed until the Note, the Second Deed of Trust and the Personal Guaranty have been delivered to the Authority in form acceptable to the Authority.

IV. **CONSTRUCTION OF HOTEL PROJECT.** In return for the Loan and the Incentive Credits to be provided by the Authority under this Agreement, the Company agrees as follows:

- A. The Company shall construct and obtain a certificate of occupancy for the Hotel Project by January 1, 2024. The Company’s cost of construction of the Hotel Project, including engineering and design, shall be at least \$16 million.

The Hotel Project shall consist of a full service hotel with the meeting the approximate minimum criteria listed below:

- Up to 64 guest rooms, including a mix of Suites, doubles, singles.
- 1st Floor Banquet area – 858 s.f. 58 occupants with tables/chairs;
- 1st Floor Casual Dining/Bar: 676 s.f. 38 occupants.
- 1st Floor Main Dining: 1,542 s.f. 103 occupants.
- 1st Floor Outdoor Dining Terrace: 931 s.f. 62 occupants.
- 2nd Floor Conference: 320 s.f. 22 occupants
- Basement Conference: 740 s.f. 49 occupants
- Basement Bar/Game Room/Lounge/event space: 1,008 s.f. 63 occupants
- Basement Barber shop: 340 s.f.
- Rooftop Bar: 735 s.f. 49 occupants

- B. The Company will create and maintain during each year of this Agreement a minimum of Fifty (50) Full Time Equivalent (FTE) positions.
- C. If at any time the business defaults on any measurement included in this Agreement, the City of Petersburg and the Economic Development Authority may exercise the right to end the Incentive Credits for that business. Following default, the Company will be responsible for any remaining debt service to the Authority and no further Incentive Credits will be available.
- D. The Company, to the fullest extent allowable by controlling law, agrees to include in its agreement with its general contractor terms that require the contractor and its sub-contractors to make good-faith efforts to employ qualified individuals who are

residents of the City of Petersburg, Virginia, in sufficient numbers so that no less than thirty percent of the contractor's total construction work force, including any subcontractor's work force, measured in labor work hours, is comprised of such Petersburg residents. To verify compliance with this requirement, Company shall keep written records indicating the number and percentages of Petersburg residents so employed and shall provide copies of such records to the EDA.

- E. During the term of this agreement, Company, to the fullest extent allowable by controlling law, agrees to make a good-faith effort to hire as employees of the Hotel qualified individuals who are residents of the City of Petersburg, Virginia, in sufficient numbers so that no less than forty percent of the Hotel work force, measured in labor work hours, is comprised of such Petersburg residents. To verify compliance with this requirement, Company shall keep written records indicating the number and percentages of Petersburg residents so employed and shall provide copies of such records to the EDA.
- F. After obtaining a certificate of occupancy for the Project, the Company will provide reasonably detailed information to the Authority to document its actual costs of designing, engineering, and constructing the Hotel.

V. **INCENTIVE CREDITS.** In return for the Company completing the construction of the Hotel Project with the capital investment set forth in Section IV above, creating and maintaining the full-time jobs at the Targeted Wages and the other requirements of Section IV above, the Authority allocate Incentive Credits to the Company for each Tax Period as follows:

- A. Provided that the Company has completed the Hotel Project and created the full-time jobs described in Section I above, during each year of the Payment Period, the Authority shall allocate to the Company and credit against payments due on the Loan during the same Payment Period an Incentive Credit in the amount of **FIFTY PERCENT (50%)** of the FB&L Tax Revenue received by the City for the relevant Tax Period on a quarterly basis up to an overall maximum cap of the amount of the Loan (\$2.6 million). The Incentive Credit amounts will vary based on the amount of **50%** of the FB&L Tax Revenue as defined in **Section I** herein generated during the corresponding Tax Period. Once the Hotel Project is completed and generating income, the Commissioner of the Revenue will perform a quarterly review of meals taxes and lodging taxes collected from the Hotel Project for the preceding quarter on each January 1, April 1, July 1 and October 1. The City is expected, but not obligated, to contribute to the Authority the amount corresponding to the Incentive Credit to continue to make loans under its economic development revolving loan fund program. Any outstanding payments owed on the Loan for that quarter due to lack of revenue generated by the meals and lodging taxes, will be the sole responsibility of the Company. The Incentive Credits shall be used first to pay down the \$600,000 Industrial Revitalization Fund Program portion of the Loan. After the \$600,000 Industrial Revitalization Fund Program portion of the Loan has been paid off, then the Incentive Credits will be used to pay down the remaining \$2 million portion of the Loan.

If the Incentive Credit for any Payment Period is in excess of the amount due on the Loan in such period, the excess shall be applied (i) first to pay any outstanding amounts due on the Loan and (ii) then to prepayment of amounts due on the Loan in inverse order of maturity, up to the outstanding principal amount of the Loan. The Company will not receive any Incentive Credits as credit toward payments due under the Loan if (i) the Loan has been paid off in full, (ii) after the end of the Payment Period, (iii) for Tax Periods ending after 2035, or (iv) for any Tax Period in which there is no FB&L Tax Revenue.

B. The Company must submit a written report and request for an Incentive Credit immediately after the end of each Tax Period as shown on Exhibit B. The calendar year in which the Company submits its first request shall constitute the Company's election of the First Full Taxable Year. For example, if the Company submits its first request for an Incentive Credit in July 2024 for the January – June 2024 Tax Period, then the First Full Taxable Year of the ten-year Payment Period would be 2024. In no event may the First Full Taxable Year be later than 2024. The Company shall provide a completed W-9 form to the Authority with its first written request for an Incentive Credit.

C. The Director shall determine the FB&L Tax Revenue for each Tax Period.

VI. **DEFAULT.** Each of the following events shall be a default hereunder by the Company if occurring at any time prior to the end of the Payment Period, as follows:

- A. Failure by the Company to maintain its corporate existence or the declaration of bankruptcy by the Company and to cure such default within ninety (90) days after receiving written notice from the City or the Authority.;
- B. Failure by the Company to make a capital investment of at least \$16 Million into the construction of the Hotel Project by January 1, 2024 and to cure such default within ninety (90) days after receiving written notice from the City or the Authority;
- C. Failure by the Company to create and maintain 50 Full Time Equivalent positions at the Hotel during each year of the Payment Period and to cure such default within ninety (90) days after receiving written notice from the City or the Authority; or
- D. Failure by the Company to comply with any of the Company's Commitments described in Section IV of this Agreement and to cure such default within ninety (90) days after receiving written notice from the City or the Authority.

VII. **INDEMNIFICATION.** The Company will defend, indemnify, and hold harmless the Authority and the City, and their respective officers and employees (the "Indemnified Parties"), from any claims of third parties arising out of any act or omission of the Company or the Company's contractors, subcontractors, and agents in their performance under this Agreement. However, this obligation shall not apply to (1) third party claims solely arising out of a gross negligent act or material omission of the Authority or the City, or (2) third party claims against the City or Authority regarding the legality of this Agreement, the Incentive Credits, or appropriations or credit of FB&L Tax Revenue. The Company's indemnification obligation shall survive termination of this Agreement.

VIII. **TERMINATION OF AGREEMENT.** This Agreement shall terminate upon the first to occur of: (1) the written agreement of the parties, (2) the Authority's payment of the full amount of

the Note as repayment of the Loan set forth in Section III(D), (3) the end of the Payment Period, as the same may be extended as provided herein, (4) failure by the Company to make a payment due on the Note, upon 30 days written notice from the Authority that such amounts are due and that Incentive Credits for such period have are not sufficient to pay such debt service or (5) January 1, 2024, if the Company has not obtained a certificate of occupancy for the Project by such date. After termination of the Agreement, the Note shall be immediately due and payable in full and the Loan shall be due, provided; however, the Company's indemnification obligations under Section VI shall survive and continue.

IX. ASSIGNMENTS.

- A. The Company may assign this Agreement or any portion thereof, or any Incentive Credits due to it hereunder, only upon written consent of the City and the Authority.
- B. [Upon any permitted assignment of this Agreement, or any assignee of this Agreement has the right of third party enforcement of the Company's rights under this Agreement, and the assignee of this Agreement may enforce the Company's rights pursuant to such permitted assignment with the same force and effect as if enforced by Company. Upon such assignment, the assignee of this Agreement may, but shall not be required to, perform the obligations of the Company hereunder. If the assignee of this Agreement undertakes in writing to perform the obligations of the Company after assignment of this Agreement, the Authority will accept its performance in lieu of performance by the Company in satisfaction of the Company's obligations under this Agreement.]

X. CITY PAYMENTS SUBJECT TO APPROPRIATIONS; DISCLAIMER.

- A. The City's undertaking to make payments to the Authority corresponding to Incentive Credits provided by the Authority are is subject to the Authority's receipt of appropriation by the City Council of such amounts. The Authority agrees to use its best efforts to secure the necessary appropriations from the City.
- B. No provision of this Agreement shall be construed or interpreted as creating a pledge of the faith and credit of the Authority or the City within the meaning of any constitutional debt limitation. No provision of this Agreement shall be construed or interpreted as delegating governmental powers nor as a donation or a lending of the credit of the Authority or City within the meaning of the Virginia Constitution. This Agreement shall not directly or indirectly obligate the Authority or the City for any fiscal year in which this Agreement shall be in effect nor to make any payments beyond those appropriated in the sole discretion of the City Council and the Authority. No provision of this Agreement shall be construed to pledge or to create a lien on any asset or source of the Authority or the City's moneys, nor shall any provision of the Agreement restrict to any extent prohibited by law, any action or right of action on the part of any future Council or Board, respectively. To the extent of any conflict between this section and any other provision of this Agreement, this section takes priority.

XI. **MISCELLANEOUS.**

- A. Governing Law. The law of the Commonwealth of Virginia shall govern this Agreement, and the exclusive venue for actions regarding this Agreement shall be the Petersburg Circuit Court.
- B. Communications. Any communication under this Agreement shall be sufficiently given when delivered by hand or by first-class certified mail, postage prepaid, as follows:
- a. If to the Company:
Tabb Street Development, LLC
244 South Sycamore Street
Petersburg, VA 23803
- with a copy to: TBD
- b. If to the Authority:
Chair
Petersburg Economic Development Authority
135 N. Union St.
Petersburg, VA 23803
- with copy to:
Brendan Scott Hefty, Esq.
Hefty Wiley & Gore, P.C.
100 W. Franklin Street, Suite 300
Richmond, Virginia 23220
- c. If to the City:
City Manager
135 N. Union St.
Petersburg, VA 23803
- with a copy to:
City Attorney
135 N. Union St.
Petersburg, VA 23803
- C. Entire Agreement; Amendments. This Agreement constitutes the entire contract between the parties and may not be changed except in writing signed by both parties.
- D. Binding Effect. This Agreement is binding upon the parties and their respective successors and assigns.

- E. Force Majeure. Any delay in performance shall not be a breach of this Agreement if such delay has been caused by or is the result of acts of God; acts of the public enemy; insurrections; riots; embargoes; labor disputes, including strikes, lockouts, job actions, or boycotts; shortages of materials or energy; fires; explosions; floods; pandemic or health emergency or other unforeseeable causes beyond the control and without the fault or negligence of the party whose performance is delayed. Such party shall give prompt notice to the other party of the cause for delay and shall take reasonable steps to resume performance as soon as possible. The time for performance shall be extended for a period equal to the period of delay due to the reasons set forth in this paragraph.
- F. Severability. If any court of competent jurisdiction holds any provision of this Agreement invalid, then (a) such holding shall not invalidate any other provision of this Agreement, unless such provision is contingent on the invalidated provision; and (b) the remaining terms shall constitute the parties' entire agreement.
- G. Attorney's fees shall not be recoverable by the prevailing party in the event this Agreement is subject to litigation.
- H. This Agreement is in compliance with the Tourism Zone Ordinance (Sections 38.120 et. seq. of the Petersburg City Code) adopted by City Council on November 3, 2021 ("Ordinance"). To the extent that this Agreement conflicts with the Ordinance, the language of the Ordinance supersedes and takes precedence.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed in their corporate names by their duly authorized officers.

**ECONOMIC DEVELOPMENT
AUTHORITY OF THE CITY OF
PETERSBURG, VIRGINIA**

By: _____

DATE: _____

APPROVED AS TO FORM:

By: _____

TABB STREET DEVELOPMENT LLC

By: _____
Name: _____
Title: _____

DATE: _____

CITY OF PETERSBURG, VIRGINIA

By: _____

DATE: _____

APPROVED AS TO FORM:

By: _____

Exhibit A

Description and Schematic of the Project



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Nykesha Jackson

RE: Consideration of appointment to the Petersburg Redevelopment and Housing Authority.
(page 407)

PURPOSE: To consider appointment/reappointment to the Petersburg Redevelopment and Housing Authority.

REASON: There is one vacant seat on the board due to resignation of a prior member.

RECOMMENDATION: Recommend City Council make an appointment to the Petersburg Redevelopment and Housing Authority.

BACKGROUND: The Petersburg Redevelopment and Housing Authority (PRHA) Board consists of seven (7) members who are appointed by City Council to serve four-year, staggered terms. PRHA was created to study blighted areas within the City and to recommend programs for the improvement of such areas; to provide quality housing for low-income families at rents within their ability to pay; and to serve as the duly designated agent of the City to contract with federal agencies for financial assistance in order to undertake urban redevelopment and low-rent housing programs approved by City Council.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 5/17/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Petersburg Redevelopment and Housing Authority 2022

PETERSBURG REDEVELOPMENT AND HOUSING AUTHORITY					
				NEW APPLICANTS	WARDS
Number of members: 7					
TERMS	APPOINTMENTS	Date Appointed	WARDS		
04/20/2021 - 09/30/24	Dianne Johnson, 2000 Colston Street	4/20/2021	Ward 2	Patrick R. Ingram, 836 S. Gillfield Drive	Ward 6
10/19/2021 - 09/30/25			Ward 2	James R Walker, 1305 Montgomery Avenue	Ward 6
01/21/2020-09/30/2024	Linda Poe, 128 South Sycamore Street	1/21/2020	Ward 4		
06/15/2021 - 09/30/25	Joseph P. Dickens, 1002 Oakmont Dr.	6/15/2021	Ward 3		
07/07/2020-09/30/2024	Trisha L. Brown, 2811 Brierwood Road, Vice Chair	7/7/2020	Ward 7		
07/07/2020 - 09/30/24	Kim Potts, 422 West Washington Street	7/7/2020	Ward 5		
10/19/2021 - 09/30/25	Mary Howard, 608 S. Park Drive, Chair	10/19/2021	Ward 3		
AUTHORITY:					
	Title 36, Code of Virginia, as amended; Referendum vote October 1967; December 1967 City Council Resolution established composition and terms of members; City Council; Resolution #95-31, 4/4/95 amended composition, amended 04/02/2002 - 02-ORD-22			Duties: To study slum and blighted areas within the City and to recommend programs for their improvement. To provide quality housing for low income families at rents within their ability to pay. To serve as the duly designated agent for financial assistance in order to undertake urban redevelopment and low-rent housing programs approved by the City Council.	
MEETING DATE AND TIME				COMPOSITION:	
	4 th Monday at 6:00 p.m., at Sycamore Towers			Seven (7) at large members appointed by City Council.	
STAFF LIAISON:					
	Nathaniel Pride (804-733-2200)				



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Tangela Innis, Randall Williams

RE: Consideration of approval to extend the lease agreement for one year (June 1, 2022 - May 31, 2023) for a total amount of \$407,385.60 (\$33,948.80 monthly) between P & P Associates, LLC and the City of Petersburg for the property located at 3811 Corporate Road, Petersburg, VA 23803. (page 410)

PURPOSE: Approval to extend the lease agreement for one year (June 1, 2022 - May 31, 2023) for a total amount of \$407,385.60 (\$33,948.80 monthly) between P & P Associates, LLC and the City of Petersburg for the property located at 3811 Corporate Road, Petersburg, VA 23803. This property houses the City of Petersburg's Department of Social Services.

REASON: To extend the lease agreement for one year (June 1, 2022 - May 31, 2023) for the property that houses the City of Petersburg's Social Services Department.

RECOMMENDATION: Staff recommends that Council approves the lease extension for one year as written.

BACKGROUND: The City of Petersburg's Social Services Department moved from 400 Farmer Street location in May of 2019 due to mold issues with the building. The Department of Social Services is approaching the end of its third year (May 31, 2022) occupying space at 3811 Corporate Road. This extension will ensure that the Department of Social Services will occupy the building for another year.

COST TO CITY: \$407,385.60

BUDGETED ITEM: Yes

REVENUE TO CITY: \$0

CITY COUNCIL HEARING DATE: 5/17/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES: Department of Social Services

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: NA

REQUIRED CHANGES TO WORK PROGRAMS: NA

ATTACHMENTS:

1. EXTENSION OF LEASE AGREEMENT

EXTENSION OF LEASE AGREEMENT:

This extension of lease agreement made and entered into as of this day _____, 2022 by and between **P & P Associates, LLC**, hereinafter called the “Lessor”, party of the first part and the **City of Petersburg**, hereinafter called the “Lessee” party of the second part.

Recitals:

- A. Lessor and Lessee are parties to that certain Lease Agreement dated the 19th of May, 2019 for the lease of certain office space located at 3811 Corporate Rd., Petersburg, VA as more fully described in the lease.
- B. The term of the original lease expires on May 31, 2021.
- C. The Lessor and Lessee now desire to extend the Term of the Lease until May 31, 2023 at the monthly rate of \$33,948.80 or \$407,385.60 per annum.

Agreement:

Now, Therefore, in consideration of the mutual agreements set forth herein and other good and valuable consideration, the receipt of sufficiency of which are hereby acknowledged, Lessor and Lessee hereby agree as follows:

- 1. **Extension:** The term of the lease is hereby amended to extend the term of the original lease until May 31, 2023 at the rate specified above.
- 2. **Entire Agreement:** This extension constitutes the entire agreement among the parties with respect to the subject matter hereof.
- 3. **Ratifications:** The terms of the original lease, except as modified hereby, remain in full force and effect.
- 4. **Successors and assigns:** This extension agreement shall bind and inure to the benefit of the parties hereto and respective successors and assigns.
- 5. **Governing Laws:** This extension agreement shall be governed by and construed according to the laws of the Commonwealth of Virginia.
- 6. **Counterparts:** This extension agreement may be executed in counterparts each of which shall constitute an original but all of which shall constitute one

document. It shall not be necessary that the signature on behalf of both parties hereto appear on each counterpart hereof.

IN WITNESS WHEREOF, the parties have executed this amendment to the lease agreement as of the date first above written.

Lessor:

P & P ASSOCIATES, LLC

J. Dale Patton, Manager

Lessee:

CITY OF PETERSBURG



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Randall Williams

RE: **Consideration and approval of the installation of STOP Signs at 10 intersections. Nine of the intersections do not require a traffic study and will be installed by July 31, 2022. The remaining intersection (S. Sycamore St. & Fillmore St.) requires a traffic study due to the intersection being located on a state road and will be installed by October 15, 2022. (page 414)**

PURPOSE: To address speeding in the City of Petersburg.

REASON: To deal with the issue of speeding, City Council requested STOP signs be installed at 10 intersections, 9 of which did not require traffic studies because they did not affect state designated roads.

RECOMMENDATION: Public Works has informed Council on numerous occasions that speed studies should be completed by traffic engineers before installing STOP signs and STOP signs should not be used for speed control. City Council has requested that STOP signs be installed at 10 intersections in the City. The City Attorney has indicated that a traffic study must be completed for one of the ten intersections due to it affecting traffic on a designated road (Sycamore Street). Public Works also strongly recommends a traffic study be completed on Graham Road at the Pine Ridge Road intersection. As Council chooses to forgo traffic studies, Public Works will install the STOP signs as directed by Council.

BACKGROUND: Over the last several months, City Council has been trying to address the speeding issue in the City of Petersburg. There have been several meetings with the City leaders discussing possible recommendations. Residents have voiced concerns in Ward meetings and in the Public Information Period at City Council meetings. Public Works has informed Council that best practices recommend traffic studies be completed by traffic engineers prior to installing the STOP signs and STOP signs should not be used for speed control. 10 intersections have been recommended for STOP signs by Council based on Police Department recommendations based on the data they had and reviewed. It should be noted that the City Attorney stated that a traffic study is required to install a STOP sign on a state designated road. 9 of the 10 intersections recommended by Council are not located on state roads and therefore technically do not require a traffic study.

COST TO CITY: \$64,060

BUDGETED ITEM: Yes

REVENUE TO CITY: \$0

CITY COUNCIL HEARING DATE: 5/17/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: NA

AFFECTED AGENCIES: Public Works

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: NA

REQUIRED CHANGES TO WORK PROGRAMS: NA

ATTACHMENTS:

1. Stop sign installations 5.17.22

The Department of Public Works and Utilities

City of *Petersburg* VIRGINIA

STOP Sign Installations
May 17, 2022

STOP Sign Installations & Dates



To be installed by October 15, 2022:

A. S Sycamore St & E Fillmore Street (2 to 4 way stop) *

- This allows time for a traffic study to be completed.
- The cost for the study, materials, & labor is approximately \$13k for this intersection.

* - State designated road that requires a traffic study

To be installed by July 31, 2022:

B. S Jefferson St & E Fillmore St (2 to 4 way stop)

C. St. Andrews St & Webster St (1 to 3 way stop)

D. Claremont St & Blair Rd (1 to 3 way stop)

E. Graham Rd & Pine Ridge Rd (1 - 3 way stop) **

F. Liberty St & Harrison St (2 to 4 way stop)

G. W Clara Dr & Talley Ave (1 to 3 way stop)

H. Custer St & Hawk St (2 to 4 way stop)

I. Custer St & Hamilton St (1 to 3 way stop)

J. Patterson St & Augusta Ave (replacing 2 YIELS signs with STOP signs)

- The cost for the materials, & labor is approximately \$56k for these intersections.

** - Public Works recommends a traffic study

STOP Sign Cost – Requested Locations



COST TO INSTALL STOP SIGNS

#	Intersection	State Desig Road?	Study	Now	Proposed	Traffic Studies	Materials	Equip	Labor	Total
1	S. Sycamore St. & Fillmore Street	Y	Y	2 way	4 way	\$5,000	\$7,759	\$25	\$66	\$12,849
2	S. Jefferson St. & E. Fillmore St.	N	N	2 way	4 way		\$7,527	\$25	\$66	\$7,618
3	St. Andrews St. & Webster St.	N	N	1 way	3 way		\$5,727	\$25	\$66	\$5,818
4	Claremont St. & Blair Rd.	N	N	N/A	3 way		\$5,697	\$25	\$66	\$5,787
5	Graham Road & Pine Ridge	N	R	1 way	3 way		\$5,886	\$25	\$66	\$5,976
6	Liberty & Harrison St.	N	N	2 way	4 way		\$7,550	\$25	\$66	\$7,640
7	W. Clara Dr. & Talley Ave.	N	N	1 way	3 way		\$5,738	\$25	\$66	\$5,829
8	Custer St. & Hawk St.	N	N	2 way	4 way		\$7,538	\$25	\$66	\$7,629
9	Custer St. & Hamilton St.	N	N	1 way	3 way		\$5,797	\$25	\$66	\$5,888
10	Patterson St. & Augusta Ave.	N	N	2 Yield	2 Stop		\$3,936	\$25	\$66	\$4,026
TOTAL						\$5,000	\$63,156	\$247	\$657	\$69,060



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Tangela Innis, Deputy City Manager
Kenneth Miller, Interim City Manager

FROM: Wayne Crocker

RE: **Consideration to extend the Petersburg Preservation Task Force Memorandum of Understanding. (page 419)**

PURPOSE: To permit the City Manager to renew the Petersburg Preservation Task Force Memorandum of Understanding (MOU).

REASON: The Petersburg Preservation Task Force was given a MOU to manage the Blandford Church, Centre Hill Mansion, and The Exchange Building. The organization would like to continue its work until June 22, 2025.

RECOMMENDATION: Recommend City Council renew MOU with PPTF until June 22, 2025

BACKGROUND: The PPTF entered into a Memorandum of Understanding with the City on June 15, 2021 for a one-year period. Currently, PPTF manages the Blandford Church Museum and Reception Center, Centre Hill Mansion Museum, and The Exchange Building Museum (formerly The Siege Museum).

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 5/17/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Museum Services

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. PPTF MOU 2022 05 10 (Final Draft)

MEMORANDUM OF UNDERSTANDING

City of Petersburg and Petersburg Preservation Task Force

This Memorandum of Understanding (“MOU”) dated June 22, 2022 is entered into by the City of Petersburg and Petersburg Preservation Task Force and is the entire agreement between them regarding the matters described herein, except as it may be modified by subsequent written addendum to this MOU signed by both parties.

I. BACKGROUND

- A. At all times herein mentioned, Petersburg Preservation Task Force (“PPTF”) was and remains a non-profit, non-stock corporation formed and operating under the laws of the Commonwealth of Virginia, with its principal office location being 111 Rochell Lane, Petersburg, Virginia 23803, and its President being M. Dean McCray. The PPTF is a 501(c) (3) organization under the Internal Revenue Code and has adopted an organizational structure that allows for the operation and management of historic buildings, as well as interpretive activities relating thereto, and the raising of funds for such purposes.
- B. At all times herein mentioned, the City of Petersburg (“the City”) was and remains a municipal corporation formed and operating under the laws of the Commonwealth of Virginia.
- C. The City is the owner of certain historic buildings located within the City. These properties include Blandford Church Museum, Centre Hill Mansion Museum, and the Exchange Building Museum (collectively “the Properties”).
- D. PPTF and the City wish to enter into this MOU for the purpose of allowing PPTF to operate and manage the Properties to conduct public tours and special events upon the Properties.
- E. Any and all “profit” derived from the activities by PPTF pursuant to this MOU after payment of its expenses, which include salaries and wages relating thereto, shall be the property of PPTF, but shall be used for the operation and management of the Properties.
- F. The terms of the MOU are set forth below.

II. PURPOSE OF THIS MOU

For a three-year period (June 16, 2022 through June 16, 2025), PPTF is authorized by the City and hereby agrees to operate and manage the Properties in accordance with the following terms:

A. Blandford Church and Reception Center

- 1) PPTF shall provide staff, at PPTF's sole expense, to operate and maintain the Blandford Church Museum and its Reception Center for the purpose of allowing tours for visitors.
- 2) PPTF shall ensure that the Blandford Church Museum and Reception Center are open a minimum of 4 days a week (Thursday thru Saturday / 10AM — 5PM (last tour) (Sunday 10AM – 5PM) as well as for special tours and events as deemed necessary and appropriate by the City; provided, however, that the City may not increase the minimum hours of operation without first consulting with PPTF and taking into account the staffing capability of PPTF. State and local emergencies for weather, pandemics, etc. may cause disruption of schedules.

B. Centre Hill Mansion

- 1) The PPTF shall provide staff, at PPFT's sole expense, to operate and maintain the Centre Hill Mansion Museum for the purpose of allowing tours for visitors.
- 2) The PPTF shall ensure that the Centre Hill Mansion Museum is open a minimum of 2 days a week (Saturday, 10 AM – 5PM and Sunday, 1PM – 5PM; last tour) as well as for special tours and events as deemed necessary and appropriate by the City; provided, however, that the City may not increase the minimum hours of operation without first consulting with PPTF and taking into account the staffing capability of PPTF. State and local emergencies for weather, pandemics, etc. may cause disruption of schedules.

C. The Exchange Building

- 1) The PPTF shall provide staff, at PPFT's sole expense, to operate and maintain the Exchange Building Museum for the purpose of allowing tours for visitors.
- 2) The PPTF shall ensure that the Exchange Building Museum is open a minimum of 4 days a week (Thursday through Sunday) / 10AM – 5PM;

Sunday, 1PM – 5PM; last tour) as well as for special tours and events as deemed necessary and appropriate by the City; provided, however, that the City may not increase the minimum hours of operation without first consulting with PPTF and taking into account the staffing capability of PPTF. State and local emergencies for weather, pandemics, etc. may cause disruption of schedules.

Any damage to the Properties as a result of any act or omission of PPTF, its employees, agents, and assigns shall be repaired to the reasonable satisfaction of the City and at the sole expense of PPTF. If PPTF fails to make such repairs, The City may cause them to be made at the expense of PPTF which expenses may be offset in whole or in part by any insurance that PPTF may have in effect.

No modifications or repairs to the Properties shall be permitted without the prior written authorization of the City.

III. PPTF RESPONSIBILITIES

A. Site Manager (Staffing)

At PPTF's sole expense, PPTF shall provide a site manager who will:

- a) Recruit and supervise a minimum of two (2) volunteer docents per site during operating hours, and appropriate to the events or activities and;
- b) Be responsible for managing interpretation/security

B. Marketing

Marketing efforts will be paid for at PPTF's sole expense. Such marketing materials will adequately inform the public of the times when the Properties will be open. The strategic efforts which shall be used will include:

- a) Earned Media
- b) Paid and social media

C. Personal Property in the Properties managed by PPTF and Elsewhere

PPTF acknowledges receipt, as bailee, of the personal property items listed on two identical flash drives, one of which is in the possession of the City and the other which is in the possession of PPTF. These personal property items are the ones located in the three Properties and in the McCray warehouse, and they are the only ones for which PPTF is responsible. PPTF shall use reasonable diligence to return each such item listed on the flash drive to the City in the same condition it was in when it was entrusted to PPTF by the City, reasonable wear and tear and insured items excepted. The City may pursue any available remedies in law against PPTF for failure to return such items in accordance with this Section. PPTF will cooperate with the City in any relocation requested by the City of personal property items in the Grizzard Building.

D. Return of Artifacts on Loan to the City of Petersburg Collections

- 1) Items entrusted to PPTF by the City shall not be released to any third parties (including but not limited to those claiming to have loaned said articles to the City), without prior written approval from the City.
- 2) The loan of an item to the City by a third party for exhibit in one of the Properties may only occur upon the execution of a Written Agreement that has been executed by the City Manager or designee, and approved by the City Attorney.

E. Objectives

- 1) PPTF shall collaborate with the City regarding;
 - a. Operation and management and operation of the Properties and efforts to increase tourism in the City, including grant opportunities pursued by both parties.
 - b. Security of the Properties, staff, visitors and volunteers;
 - c. Financial controls consistent with industry best practices;
 - d. Janitorial services and routine housekeeping;
 - e. Reporting all necessary repairs to the Public Works Department of the City.

F. Specific Deliverables

- 1) In addition to any other reasonable reports that the City may deem necessary during the term of this MOU, PPTF will provide the City with the following quarterly reports:
 - a. Financial Reports – namely, cumulative quarterly reports for Revenue and Expenses incurred, including grants received. The first such quarterly report will list all grants received by PPTF prior to the date of the report.
 - b. Number and Origin of Visitors (complete information may not be available to PPTF because of the City’s operation of the visitors’ center in the Exchange Building as provided below)
 - c. Marketing efforts
 - i. Earned and paid media
 - ii. Social media impressions
 - d. Fundraising results – namely, cumulative results on various fundraising efforts after they have been implemented
 - e. Programs schedules
 - f. Activities with Virginia Film Office
 - g. Historic structures report for Blandford Church, if pursued, shall be the sole responsibility of the PPTF and coordinated with the City
- 2) Continue to warehouse the City’s collections and artifacts currently in McCray Warehouse, 1801 Midway Avenue, Petersburg, VA 23803 until the City requests that they be relocated or PPTF request to be relocated. Upon written request from PPTF, the City shall have 60 days to relocate City owned items to another location.

G. Grants

- 1) Under no circumstances shall PPTF submit a grant application in relation to the Properties or any other asset of the City without the written approval of the City Manager.

IV. LIAISON WITH CITY STAFF

PPTF's primary points of contact with the City regarding the matters described in this MOU shall be the Director of Library Services or another person as designated by the Deputy City Manager for Community Affairs.

V. CITY RESPONSIBILITIES

The City will provide the following services on behalf of itself and PPTF. These include:

- Continued payment of all utilities at City museums, including water, sewer, phones, Internet and cable;
- Emergency Maintenance and repair of all museum properties including, but not limited to, HVAC, electrical and plumbing;
- Liability and personal property damage insurance, in reasonable amounts, covering tourists and all real property and personal property assets of the City, including, without limitation, all personal property items owned by the City and bailed to PPTF. The City will provide to PPTF, at least annually, a certificate of insurance confirming the personal property damage insurance coverage on said personal property items.

VI. FILM INDUSTRY LIAISON

The Tourism Manager will be the liaison between the City and the film industry. PPTF will assist the Tourism Manager in efforts to attract the use of the City's historic resources for film purposes, but in those instances in which PPTF provides professional assistance to the Tourism Manager or at the request of the Tourism Manager, PPTF may charge a reasonable fee for such assistance upon written consent from the Deputy City Manager.

VII. TERMINATION

Either party may terminate this MOU with or without cause upon sixty (60) days written Notice to the other party. Such Notice may be sent by certified mail, return receipt requested, by e-mail (with read receipt), or by facsimile (with read receipt), and shall be effective upon delivery. Said Notices shall be sent to the following addresses:

If to the City:

CITY OF PETERSBURG, VIRGINIA
Attn: City Manager (with Copy to City Attorney)
135 N. Union Street
Petersburg, VA 23803
city.manager@petersburg-va.org

If to PPTF:

PETERSBURG PRESERVATION TASK FORCE

Joseph Haddon Jr
501 High Street
Petersburg, VA 23803
804-229-5795
haddon.joe@gmail.com

Upon termination in accordance with this Section, neither party shall have any further obligations to the other with regard to this MOU.

VIII: MISCELLANEOUS

- A. This document represents the entire agreement between the parties regarding the matters described herein. All prior or subsequent MOUs or other agreements regarding these matters are declared to be null and void unless incorporated into this MOU by a written Addendum signed by all parties.
- B. This MOU will be governed by and construed according to the laws of the Commonwealth of Virginia, but this MOU will not be construed more strictly against the City or PPTF because of authorship, it being agreed that both have contributed substantially to its content.
- C. Any dispute concerning the performance or non-performance of any term of this MOU shall be litigated solely in the Circuit Court for the City of Petersburg.
- D. Prior to commencement of this MOU, PPTF has produced certificates of liability insurance relating to the facilities and activities described herein, in a form and amount satisfactory to the City's Risk Manager, naming the City as an additional insured. Such insurance shall be maintained by PPTF at all times for the duration of this Agreement.
- E. Nothing in this MOU shall be construed to create an employment relationship between PPTF and the City. At all times herein mentioned, the City and PPTF shall remain separate legal entities who shall be solely responsible for the acts and omissions of their respective employees, agents, and assigns.

By signing this document the undersigned represent that they have the authority to bind and do hereby bind their respective entities to the terms of this MOU.

City of Petersburg, Virginia:

By: _____
Kenneth A. Miller, Interim City Manager Date _____

Approved as to form:

Anthony C .Williams, City Attorney Date _____

Petersburg Preservation Task Force LLC:

Dean McCray, President of the Board Date _____



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: May 17, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Kenneth Miller, Interim City Manager

FROM: Brian Moore

RE: **Consideration of a resolution authorizing the City Manager to amend the development agreement between the City of Petersburg and Amanda Green for the property at 301 Rolfe Street, parcel ID 022-150801 to remove the clause that prohibits the property to be subdivided. (page 429)**

PURPOSE: A Resolution authorizing the City Manager to amend the development agreement between the City of Petersburg and Amanda Green for the property at 301 Rolfe Street, parcel ID 022-150801 to remove the clause that prohibits the property to be subdivided.

REASON: To consider a resolution authorizing the City Manager to amend the development agreement between the City of Petersburg and Amanda Green for the property at 301 Rolfe Street, parcel ID 022-150801 to remove the clause that prohibits the property to be subdivided.

RECOMMENDATION: The Department of Economic Development recommends that the City Council consider the resolution authorizing the City Manager to amend the development agreement between the City of Petersburg and Amanda Green for the property at 301 Rolfe Street, parcel ID 022-150801 to remove the clause that prohibits the property to be subdivided.

BACKGROUND: The City of Petersburg City Council approved 21-ORD-74 an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 301 Rolfe Street on November 16, 2021. Following a due diligence period, on April 19, 2022 the City Council approved Resolution 22-R-22 approving the Development Agreement with the proviso that only one single-family dwelling may be constructed on the property and that the property is not subdivided. The deed shall include provisions for the reverter described in the Development Agreement.

Ms. Green is requesting that this clause in the deed be removed.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 5/17/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, City Assessor

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 22-R-22

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Resolution for Amendment
2. 22-R-22

Resolution

A Resolution authorizing the City Manager to amend the development agreement between the City of Petersburg and Amanda Green for the property at 301 Rolfe Street, parcel ID 022-150801 to remove the clause that prohibits the property to be subdivided.

WHEREAS; The City of Petersburg City Council approved 21-ORD-74 an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 301 Rolfe Street on November 16, 2021; and

WHEREAS; Following a due diligence period, on April 19, 2022 the City Council approved Resolution 22-R-22 approving the Development Agreement with the proviso that only one single-family dwelling may be constructed on the property and that the property is not subdivided; and

WHEREAS; The purchaser is requesting that the provision be removed and allow for the property to be subdivided; and

NOW THEREFORE BE IT ORDAINED, that the City Council of the City of Petersburg hereby approves the City Manager to amend the development agreement between the City of Petersburg and Amanda Green for the property at 301 Rolfe Street, parcel ID 022-150801 to remove the clause that prohibits the property to be subdivided.

**A RESOLUTION APPROVING THE DEVELOPMENT
AGREEMENT FOR DEVELOPMENT OF 301 ROLFE
STREET, PETERSBURG, VIRGINIA BETWEEN THE CITY
OF PETERSBURG AND AMANDA GREEN.**

WHEREAS, The City of Petersburg City Council approved 21-ORD-74, an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 301 Rolfe Street on November 16, 2021; and

WHEREAS, following a due diligence period, a Development Agreement has been drafted that requires, in consideration of the City's conveyance of the Property to Amanda Green shall perform the redevelopment or the Property strictly in compliance with the project summary documents and in accordance with the terms in the Agreement; and

WHEREAS, the Development Agreement shall be referenced as set forth fully in the deed of conveyance of the Property from the City to Amanda Green with the proviso that only one single-family dwelling may be constructed on the property and that the property is not subdivided; and

WHEREAS, the deed shall include provisions for the reverter described in the Development Agreement.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Petersburg hereby approve the Development Agreement between the City of Petersburg and Amanda Green

BE IT FURTHER RESOLVED, the City Manager and City Attorney are hereby directed to take all necessary action to facilitate the sale of the subject property consistent with the terms described in the Purchase and Development Agreements.

Resolution 22-R-22
Adopted by the City of Petersburg
Council of the City of Petersburg on:

4/19/2022


Clerk of City Council