



City of Petersburg Virginia

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September 20, 2022 - Regular City Council Meeting

September 20, 2022
Petersburg Public Library
201 West Washington Street
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

City Manager

John March Altman, Jr.

-
1. **Roll Call**
 2. **Prayer**
 3. **Pledge of Allegiance**
 4. **Determination of the Presence of a Quorum**
 5. **Proclamations/Recognitions/Presentation of Ceremonial Proclamations**
 6. **Responses to Previous Public Information Posted**
 7. **Approval of Consent Agenda (to include minutes of previous meetings):**
 - a. **Minutes: (Page 4)**
 - September 6, 2022 - Closed Session Minutes
 - September 6, 2022 - Work Session Minutes
 - b. A request to Schedule a Public Hearing and Consideration of an Ordinance Approving an Amendment to the PUD and Proffers for the Harrison Creek Properties. **(Page 13)**
 - c. A request to schedule a public hearing on the amended and appropriate FY22-23 All Funds Budget on October 18, 2022. **(Page 60)**
 8. **Official Public Hearings**
 - a. A public hearing and consideration of an ordinance approving the rezoning of the property located at 2655 Stedman Drive from Single-Family Residence District (R-1A) to Mixed Use District-3 (MXD-3). **(Page 62)**
 - b. A public hearing and consideration of an ordinance approving the rezoning of the properties located at 513 Old Wagner Road, and 525 Old Wagner Road, from A - Agricultural District to R-1A - Single-Family Residence District. **(Page 88)**
 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

14. New Business

- a. Consideration of appointment/s to the Appomattox River Water Authority (ARWA) Board. **(Page 105)**
- b. Consideration of appointments to the South Central Wastewater Treatment Authority Board. **(Page 110)**
- c. Consideration of an update to the Title VI Program and Resolution for Petersburg Area Transit's Title VI Program **(Page 115)**
- d. Consideration of appointment to the Brightpoint Community College Board of Directors. **(Page 149)**
- e. Consideration of an appointment to the Petersburg Redevelopment and Housing Authority. **(Page 154)**
- f. Consideration of appointment to the Riverside Regional Jail Authority. **(Page 159)**
- g. Consideration of appointment and reappointment to the Crater Youth Care Commission Board. **(Page 164)**
- h. Consideration of the appropriation of the FY23 Gun Violence Intervention Program Grant for \$190,000 - 2nd reading **(Page 168)**
- i. Consideration of the appropriation of the Virginia Commission for the Arts Grant in the amount of \$4,500 - 2nd Reading **(Page 173)**
- j. Consideration of an appropriation for the FY23 SRO-SRO Grant in the amount of \$211,428 - 2nd Reading **(Page 178)**
- k. Consideration for the appropriation of the unused FY22 funds provided by the Virginia Department of Emergency Management - Emergency Management Performance Grant to the FY23 budget - \$1,717.27 - 2nd reading **(Page 183)**
- l. Consideration for the appropriation of the unused FY22 funds provided by the Virginia Department of Fire Programs – Aid to Locality to the FY23 budget in the amount of \$96,735.31. - 2nd Reading **(Page 188)**

- m. Consideration for the appropriation of the unused Virginia Department of Emergency Management – Radiological Emergency Preparedness Grant to the FY23 Budget in the amount of \$3,949.98 - 2nd Reading **(Page 196)**
- n. Consideration of an Ordinance Authorizing the City Manager to execute the Extension of Lease Agreement between P & P Associates, LLC and the City of Petersburg for the property located at 3811 Corporate Road Petersburg, VA. **(Page 201)**
- o. Consideration of a resolution approving the development agreement for development of 2902 Nivram Road, Petersburg, Virginia between the City of Petersburg and Terry and Cynthia Bradshaw. **(Page 206)**
- p. Consideration of an additional \$500,000 in grant funding for the Fleets Branch Stream Restoration Project – National Fish and Wildlife Foundation (NFWF)/VA Department of Environmental Quality (DEQ) Grant Funding. - 2nd Reading. **(Page 216)**

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: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH:

FROM:

RE: Minutes: (Page 4)
-September 6, 2022 - Closed Session Minutes
-September 6, 2022 - Work Session 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. September 6, 2022 Closed Session Meeting Minutes
2. September 6, 2022 - Work Session city council minutes

The Closed Session Meeting of the Petersburg City Council was held on Tuesday, September 6, 2022, at the Petersburg Public Library. Mayor Parham called the Closed Session Meeting to order at 3:30p.m.

1. ROLL CALL:

Present:

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

Absent:

Present from City Administration:

Clerk of Council Nykesha D. Lucas
City Manager John March Altman, Jr.
City Attorney Anthony Williams

2. 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 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 officers; and under §2.2-3711(A)(7) and (8) of the Code of Virginia for the purpose of receiving legal advice and status update from the City Attorney and legal matters requiring the provision of legal advice by the City Attorney, specifically including but not limited to discussion of the requirements of Code of Virginia §2.2-4300 et. Seq. with respect to public solicitations; under §2.2-3711(A)(3) of the Code of Virginia for the purpose of discussion or consideration of the acquisition and disposition of real property for a public purpose or the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically including but not limited to the acquisition of real property; and §2.2-3711(A)(29) of the Code of Virginia for the purpose of discussion regarding the subject matter of public contract involving the expenditure of funds and terms or scope of such contract where discussion in an open session would adversely affect the bargaining or negotiating strategy of the public body, specifically including but not limited to the discussion of the award and terms of a public contract.

Council Member Hill made a motion that the City Council go into closed session for the purposes noted. 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, Hill, Smith-Lee, and Parham

City Council entered closed session at 3:34 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 Hill 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, Hill, Smith-Lee, and Parham

22-R-57 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 5:54 p.m.

3. ADJOURNMENT:

City Council adjourned at 5:55 p.m.

Clerk of City Council

APPROVED:

Mayor

The work session meeting of the Petersburg City Council was held on Tuesday, September 6, 2022, at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:55 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. Lucas
City Manager John March Altman, Jr.
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.

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

a. Minutes:

-July 5, 2022 – Closed Session City Council Meeting
-July 5, 2022 – City Council Work Session
-July 5, 2022 – Special City Council Meeting
-July 19, 2022 – Closed Session Meeting
-July 19, 2022 – Regular City Council Meeting
-July 26, 2022 – Special City Council Meeting
-August 2, 2022 – Special City Council Meeting

b. A request to schedule a public hearing and consideration of an ordinance approving the rezoning of property located at 2655 Stedman Drive from Single-Family Residence District (R-1A) to Mixed-Use District-3 (MXD-3).

c. A request to schedule a public hearing and consideration of an ordinance approving the rezoning of the properties located at 513 Old Wagner Road, and 525 Old Wagner Road, from A-

*Audio available upon request.

Agricultural District to R-1A – Single Family Residence District.

- d. Consideration of the appropriation of the FY23 Gun Violence Intervention Program Grant for \$190,000 – 1st Reading
- e. Consideration of the appropriation of the Virginia Commission for the Arts Grant in the amount of \$4,500 – 1st Reading
- f. Consideration of an appropriation for the FY23 SRO-SRO Grant in the amount of \$211,428 – 1st Reading
- g. Consideration for the appropriation of the unused FY22 funds provided by the Virginia Department of Emergency Management – Emergency Management Performance Grant to the FY23 budget - \$1,717.27 – 1st Reading
- h. Consideration for the appropriation of the unused FY22 funds provided by the Virginia Department of Fire Programs – Aid to Locality to the FY23 Budget in the amount of \$96,735.31- 1st Reading
- i. Consideration for the appropriation of the unused Virginia Department of Emergency Management – Radiological Emergency Preparedness Grant to the FY23 Budget in the amount of \$3,949.98 – 1st Reading

Council Member Myers made a motion to approve the consent agenda with changes. 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

6. SPECIAL REPORTS:

- a. Proclamation designating September 8, 2022, as National Essential Medicine Shortage Awareness Day.

Mayor Parham read the proclamation aloud.

- b. Presentation from Mr. Ted Raspiller from Brightpoint Community College

Mr. Raspiller provided a PowerPoint Presentation. He also introduced Bill Fiege, Vice President for Academic and Student Affairs, and Elizabeth Creamer, Vice President of the Community College Workforce Alliance, and Fred Taylor, Director of Government and Administrative Services, and Holly Walker, Public Relations Director.

Key notes:

- The Community College Workforce Alliance had about 104 students. A lot of the classes took place in Petersburg at the high school.
- Enrollment was down a bit due to the pandemic. But they are now back up by 2%.
- The top classes for Petersburg residents are Truck Driving Training, Certified Logistics Associate, Lean Practitioner Certification, OSHA 10-Hour Training Certification for General Industry, National Safety Council First Aid, Pharmacy Technician Program, and Certified Logistics Technician.
- The Fast Forward Program pays for any resident two-thirds of their tuition to take classes in all the fields named.

*Audio available upon request.

- The G3 Program also pays for their CCWA classes but helps them to get them into a pathway to get them into a program at Brightpoint and to increase their income potential.
- There are non-profit organizations like The Cameron Foundation and Virginia Ready that are providing stipends to help students with transportation and childcare.
- They are looking for more locations to train in and more students to train.
- The new program is looking to have 125 trained pharmaceutical manufacturing technicians in the next two years.

There was discussion among City Council and staff.

c. Updates on Ramada Demolition

Chief Jim Reid stated, "Just to give you all an update. Gerrit has a couple of pictures that he is going to present. I am proud to announce that the demolition of the old Ramada Inn on East Washington Street began today. As you can see from the photograph that there is a piece of high reach construction equipment with an articulating head. It goes up there and pinches off a piece at a time and bites away at it. They began this morning. We had out open house press release in the front and then they quickly got to putting the security fencing up all around the complex. And they cleaned it off in preparation for the construction equipment to begin. And they started today. So, I am so pleased that they are moving forward. You can look for the completion to take place in approximately four months. So, we are really excited about it."

Mayor Parham stated, "Thank you chief, great work."

7. **MONTHLY REPORTS:**

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

8. **FINANCE AND BUDGET REPORT:**

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

9. **CAPITAL PROJECTS UPDATE:**

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

10. **UTILITIES:**

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

11. **STREETS:**

a. Update and presentation on Oak Hill Road.

Paul Johnson, Director of Public Works, gave an update on Oak Hill Road.

Key notes:

- Large cave-in over the corrugated metal pip running perpendicular to the flow of traffic was called in on April 25, 2022.
- Visible section loss in the pipe allowing backfill material to enter the pipe.
- Section loss of the pipe creating a void where material has entered the pipe.

*Audio available upon request.

- Temporary repair to the eastern pipe per recommendation from bridge inspector was completed. An additional inspection was done at this time that found increased deterioration in the other barrels. Recommendation from the bridge inspection firm is to keep the road closed.
- Kimley-Horn has been contracted to prepare bid specifications and plans to initiate a competitive bid solicitation for an in-kind replacement of the CMPs as a maintenance activity.
- Notification is to be sent to the affected property owners regarding survey work.
- Estimated time for deliverables is nine months.
- Environmental permitting will be one mitigating factor on the timeline.

12. FACILITIES:

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

13. ECONOMIC DEVELOPMENT:

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

14. CITY MANAGER'S AGENDA:

Presentation on the Transition of Museums.

Joanne Williams, Director of Communications, Tourism, Marketing & Government Relations, presented a PowerPoint presentation.

Key notes:

- The City of Petersburg currently owns three museums: Exchange Building, Centre Hill, and Blandford Church.
- Late 2016, City transferred operations of museums to Petersburg Preservation Task Force (PPTF) – Contract with PPTF ended on June 30, 2022.
- Operations of museums by the city full transferred.
- There is a contractor serving as site manager and volunteer coordinator.
- A full-time tourism manager will be hired. This position is budgeted.
- The advantages are that it will re-establish city tourism presence, operations & experiential programs, consistent brand & marketing, support to hospitality businesses & events, increase spending and tax revenues and additional grant opportunities for site renovation and program.
- The Visitor Center is temporarily moved to the Blandford Church Reception Center.

Mayor Parham stated, "Mr. Altman any other items. First of all, welcome aboard. Your first council meeting with us."

Mr. Altman stated, "Yes, it is. First time, and glad to be here. We have a lot going on and great staff. It is impressive to see the number of things that you have in the hopper come to fruition. Just happy to be part of the team to bring these things across the finish line to make Petersburg a better place."

Mayor Parham stated, "Thank you Mr. Altman. We appreciate you."

15. BUSINESS OR REPORTS FROM THE CLERK:

*No items for this portion of the agenda.

*Audio available upon request.

16. BUSINESS OR REPORTS FROM THE CITY ATTORNEY:

*No items for this portion of the agenda.

17. PUBLIC COMMENTS:

Marcus Omar Squires, 1701 Monticello Street, stated, "I am here to talk to you guys today about the gutters in the City of Petersburg. If you go up and down Washington Street and Wythe Street, you will notice there are mounds of dirt in all the gutters. If that is not something to be handled by the streetsweepers then is this something that the property owners should manage. My next concern is in regard to the streets in Walnut Hill. These streets are so old that grass is growing up in the center of them. In front of my house, I have to go in the street to mow the grass. Other neighbors are having similar issues. I have heard from one neighbor about the streets in Walnut Hill have not been paved for over 30 to 40 years. Is this something that the city is looking into, and I am also really concerned about what is going on at Peabody. I am not sure if you have seen the old federal school. But it is wide open. The third floor has collapsed on both sides now. The roof has blown off and this is a piece of African American history that should have been preserved. I think that it was about six years ago that the side of the roof blew off. About six years ago the right side of the roof blew off. The city did not act. And just a couple of weeks ago, the left side of the roof blew off and that classroom caved in as well. So, I am wondering what the city plan for that is. Are you guys putting fencing around it to make sure that no one is going in it. Like I said that it is wide open. So, I hope that the city will act on that. Also, the bathhouse at Wilcox Lake is not secure. Something needs to be done about that. And I did report that the aluminum siding was stolen off of that. I believe that your insurance company was notified about that. So, I am wondering if you guys are going to use the funds from your insurance to help preserve or reserve that bathhouse at Wilcox Lake. Again, thank you for your time and consideration. I hope that you have a great meeting."

Gary Talley, 2323 Fort Rice Street, stated, "I am a little concerned about council communicate document. I looked it up today and none of these things were posted until very late this afternoon. But I asked a series of questions at the last meeting of July 19th. They were supposed to be answered in that, but they were not. The answer today said that I requested a presentation from the fire chief. I never mentioned the fire chief. What I asked was the staffing levels that the city should have and what is the plan to close the gap. I asked about the Ramada that went to court. What was the resolution to that? I did not get any of those answers. She answered it but didn't answer. So, please whoever has the authority to do this ask the person that answers these questions to look at them again and answer the questions that I asked the last time. Thank you."

Barbara Rudolph, 1675 Mt. Vernon Street, stated, "Since it has been a while since I last saw all of you there are several different things that I wanted to touch on. One of them is redistricting. The comments that I see from folks, there are still a number of questions from some residents of Petersburg about which ward they are in and where they are supposed to vote. I believe that the registrar has been active in providing information to voters. She is doing what she and her staff can do to follow up on that. So, I am asking you as the city that if you are going to do another newsletter, to please provide more information on that to citizens. Because it is one of those things that cannot be explained too many times. The reach of something like the newsletter for people that do not see things in the newspaper or on social media, it is a valuable way to communicate. I also want to congratulate you for "Partnership for Petersburg" as well as the 52.9-million-dollar federal grant that you just mentioned earlier. This is a great accomplishment for the city. It can do great things. What I would ask from the viewpoint of citizens having an interest in it, is if you would please give us monthly reports on progress. You have 42 initiatives and I realize that there are not going to be a report on 42 initiatives all the time but at least if you can highlight the progress on some of them at each meeting, I think that would be valuable. Both for you all to share it among council and city employees but also the general public. Finally, I want to reflect on something that came to me sitting here earlier. I think four of you were part of this meeting. Six years ago, this date, we were at Petersburg High School talking about the city's financial crisis and various

*Audio available upon request.

things and plans that could be done to address the shortfall in revenue and the problems with the budget. It was a good meeting. I think that all of you on stage were interested in what was going on and citizens were open about talking. I wish we could look around tonight and see even a fraction of that many people who showed up six years ago. And I wish that citizens felt as eager and open to participate then. I hope that you all will do everything that you can to encourage that kind of interest among citizens that once existed. Thank you."

Richard Stewart, 129 Rolfe Street, stated, "First, I want to thank the police department that patrols Pocahontas. We really need it because all types of activity go on there. I want to thank the City of Petersburg for coming out and cutting the grass today. I think that they may be short of help, but they came over and did a very good job. I am still speaking about the one way out of Pocahontas. It is dangerous but I thank somebody who cut the trees and they can see better coming out of Pocahontas. The other thing that I want to speak about is UVA. They came to the museum on Sunday, and they brought students from Liberia, Africa. And they said that they had heard about the Pocahontas Black History Museum up in Charlottesville. So, they wanted the students to actually come to Petersburg where Joseph Jenkin Robinson became the first Black president of Liberia. And the city owns the property down at the former Roper Brothers. So, they wanted to come by. And there were about 15 students from UVA. I told them the next time that they come to call me in advance and that I wanted the Mayor and City Council to meet them. Like I was hearing John Tyler, I graduated from John Tyler 46 years ago when some of you all were still in kindergarten. Then I went on to St. Paul and then came back to Virginia State. Education is very important in the City of Petersburg. Finally, Dr. Farley, she died, and I don't know where she is going to be buried and so forth. What type of recognition is the City of Petersburg doing to recognize such a great lady as Dr. Farley. Thank you."

18. ADJOURNMENT:

City Council adjourned at 6:42 p.m.

Clerk of City Council

APPROVED:

Mayor



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager
Tangela Innis, Deputy City Manager
Brian Moore, Director of Economic Development

FROM: Reginald Tabor

RE: **A request to Schedule a Public Hearing and Consideration of an Ordinance Approving an Amendment to the PUD and Proffers for the Harrison Creek Properties. (Page 13)**

PURPOSE: To schedule a Public Hearing and consider approval of amendments to the zoning designation and proffers 1200, 1220, 1225 and 1255 Harrison Creek Boulevard.
Tax Parcels: 040030801, 040030805, 040030806 and 040030807, respectively.

REASON: To comply with applicable procedures and laws regarding the consideration of amendments to Zoning designations and related proffers.

RECOMMENDATION: It is recommended that the City Council schedules a Public Hearing and consideration of an amendment to the zoning designation of the Harrison Creek Properties and related proffers.

BACKGROUND: The City of Petersburg received a request from PBFL, LLC represented by C. Burton Cutright, to rezone property located at 1200, 1220, 1225 and 1255 Harrison Creek Blvd, future identified as TP# 040030805, TP# 040030806, and TP# 040030807, from PUD, B-2, General Commercial District with conditions to PUD, no restrictions. This action will also require an amendment change of the district to the zoning map from PUD with conditions to PUD, no restrictions.

The proposed rezoning will allow the applicant to construct up to 65 single-family detached rental homes on 6.26+/- acres of land located along Harrison Creek Blvd between Route 460 and Acqua Luxury Apartments. The subject property is approximately 272,990.52 sq. ft. and has a public street frontage of approximately 261.06 feet. The density of allowed development shall be controlled by zoning conditions and ordinance standards.

The subject property was previously rezoned from M-1, Light Industrial District, with conditions, to PUD, Planned Unit Development District, to permit a Planned Unit Development District (PUD) to be known as Harrison Creek, on a 36.216+/- acre parcel of land addressed as 2470 County Drive, further identified as Tax

Parcel 040-03-0801. The purpose of that request was to facilitate a development offering “upscale office, commercial and lifestyle residential apartments in a mixed-use community. The proposal included Office/Retail (3.97+/- acres); a Commercial Mini-Storage site (2.02+/- acres); Community Center/Pool, Multi-Family residential complex, containing 336 dwelling units within fifteen (15) structures on 28.47+/- acres.

The City Council approved 08-Ord-20, February 19, 2008, which approved the rezoning of the Harrison Creek Boulevard properties to PUD. The approval included proffered conditions. The conditions included commercial and office uses on property adjacent to the multi-family development.

The developers completed the construction of the multi-family dwellings with the Community Center/Pool which is now known as “Acqua Luxury Apartments” and addressed as 1200 Harrison Creek Boulevard. The applicants would like to amend the existing PUD from the commercial and office use requirements to permit the construction of up to an additional 65 detached single-family rental dwelling units on the vacant property adjacent to the constructed multi-family dwellings.

Staff advised the developers that their request would be required to undergo a rezoning review by the Planning Commission and the City Council for approval of the amended changes from those uses that were originally approved.

The Planning Commission considered the petition to amend the proffers previously approved with the rezoning of the property and voted unanimously on November 4, 2022, to recommend approval of the proposed proffer amendments.

The City Council considered the petition and referred it back to the Planning Commission.

The Planning Commission considered the petition during the January 20, 2022 meeting. A Commissioner asked about changing the original concept of high density/retail space to just high density, which will use up more than half of the sewer capacity which is to be saved for industrial and commercial development, not for more residential housing. This goes against what the city has planned for this area. So how are they going to adjust for that?

A Commissioner also asked if the money that the company would be paying for the sewer/water would then go into the capital budget but would not go into upgrading the system.

The Interim Director of Public Works answered: He does agree that while the water/sewer system we have today could support this development, it would then limit future development in the area.

A Commissioner had a follow-up question: She wanted to know just how close the city is to capacity. The Interim Director of Public Works said that while there is plenty of capacity for this project, that we are getting to the point that there are some concerns for future developments. There are potential for projects that could free up some capacity. But the bigger project that we have is the \$17million project that we are working on right now to upgrade Poor Creek. The timeline for that project is believed to be around 4 years to complete.

A Commissioner wanted to know if the developer had initially asked for mixed use with office development and now they're coming back for houses we still have don't have any office development there and there is a maximum amount of sewage, which means we will run out of sewage at some point in the future...are those all correct?

A Commissioner answered essentially yes. They have not put in the retail or the offices in the back and with the high density residential use, it is going to use up more than half of the remaining sewer capacity in that part of the city.

A Commissioner then wanted to say that he is against this proposal. He has three reasons.

1. He is not in favor of adding this many rental units into the city. He is more interested in home ownership. The city just announced that home values have gone up in the city for the first time in a long time. He does not think that, even though this is right next to Fort Lee, that this project is the right fit for the City of Petersburg.
2. The second reason that he cannot support this proposal is because of the aging infrastructure.
3. The Poor Creek System—We know that that system is at its capacity. We have the pharmaceutical cluster as well as a huge development coming to Wagner Road. And he cannot in good conscious vote on something that would diminish that capacity until the renovations are at least moving forward.

The Chair then asked the developer what they would like to say.

A representative of the Developer wanted the Commission to see that these houses are detached single family homes with a neighborhood environment, even though they are rentals. The developers originally invested \$228,000 in a pump station to create capacity. This capacity was then thought to be more than enough for the apartments and the retail space. In the past 11 years, there has been active promotion in trying to bring in a grocery store, office establishments, and such. But there has not been any interest from any retail or grocery store interested in the location. There is, however, a great interest in soldiers from Fort Lee for off-base housing. We believe that we already have developed the capacity for the sewer on this site. Remember, originally this site plan was approved by this same Planning Commission without any proffers but was then sent back to the City Council and they set up the original proffers. He did want to say that they worked very hard with staff and with the acting utility director, to try to see the answer to every question and problem that might come up, including the question of capacity. He did want to reiterate that they created the capacity that is there today with a significant amount of capital investment which was supposed to then take care of the capacity for the entire parcel. So, for those reasons, they asked that the Commission please consider approving this project as it is now planned. Everyone has been happy with the original project with the 1200 apartments, and everyone has been exceptional to work with, with this new part of the project. This will create a new tax base for the city, and we believe that it will be a win-win for everyone.

The Chair asked if they had done such a project anytime recently and the response was that there is one right now in Spotsylvania, VA. She then asked if other developments like this had attracted businesses like grocery stores and such. The answer was yes but it was not documented that they came because of the new families.

The Chair then asked the Interim Director of Public Works if the issue was water and sewer or only sewer. The answer is that Petersburg has plenty of drinking water capacity, but not sewer capacity. The Chair then asked if there were any other questions from the commissioners. Upon hearing none, she then opened up the public hearing portion to the public. She asked if anyone wanted to speak in favor and no one spoke up. She then asked if anyone wanted to speak against the rezoning.

A resident spoke and said that a PUD is always supposed to be in accordance with the city plan. The city comprehensive plan from 2014 states that this area is to be for commercial and industrial use. So, the residential use of this property is not in accord with the comprehensive plan. This rezoning cannot be submitted to the Planning Department as it is not in substantial compliance of the Comprehensive Plan. In terms of the sewage capacity of Poor Creek...Everything on the southern side of the city from this location to Crater Rd. all of that property has very little remaining sewage capacity and that will not be fixed for at least 4 years. If Wegmans decided that it wanted to come to Petersburg, on 460 or Wagner Rd., you would not be able to entertain the possibility of Wegmen's coming. Because of this, I am not in favor of the rezoning.

The Chair then closed the public hearing.

A Commissioner then moved that the change in the PUD be denied and a Commissioner Second. The motion passed 7-1.

The Developer requested that the item be presented to the City Council for consideration in June and, subsequently, in September of 2022.

COST TO CITY: TBD

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the increased value of the developed property.

CITY COUNCIL HEARING DATE:

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Assessor, Public Works, Planning and Community Development

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 08-Ord-20

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 08Ord20
2. 0104_2022OrdinanceRezoningHarrisonCreekProperties
3. 1104_2021StaffReportHarrisonCreek

Patrons – All Members of Council

Approved as to form and legality by the City Attorney

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PETERSBURG, AS AMENDED, BY AMENDING THE DISTRICT MAP CONSTITUTING A PART OF SAID ORDINANCE, AS AMENDED, SO AS TO CHANGE CERTAIN PROPERTY HAVING A CURRENT ADDRESS OF 2470 COUNTY DRIVE, FURTHER IDENTIFIED AS TAX PARCEL 040-03-0801, FROM M-1(C), LIGHT INDUSTRIAL DISTRICT (WITH CONDITIONS), TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT, WITH CONDITIONS.

WHEREAS, PBFL, LLC, owner of certain property having a current address of 2470 County Drive, further identified as tax parcel 040-03-0801, through its attorney-in-fact, John G. “Chip” Dicks of Future Law, LLC, petitioned the City Council through its Planning Commission to amend the City’s zoning ordinance; and

WHEREAS, the subject property, having a current address of 2470 County Drive, further identified as tax parcel 040-03-0801, contains approximately 36 acres of land and is located along the south line of U. S. 460/County Drive; and

WHEREAS, the amendment sought by the owner of the subject property would modify the zoning designation of the subject property from “M-1”(c), Light Industrial District, with conditions, to PUD, Planned Unit Development District, with proffered conditions; and

WHEREAS, such proposed amendment is sought to facilitate the development of a planned development to be known as Harrison Creek and to contain commercial, office/retail, and multi-family units; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendment on November 7, 2007, pursuant to notice thereof as required by law; and

WHEREAS, at that public hearing, adjoining property owners and other interested parties raised concerns regarding (i) the impact of traffic expected to be generated by the

proposed development along County Drive because it is a four-lane highway without a median or designated turning lanes, (ii) the proposed density of the multi-family residential development portion of the proposed development, and (iii) the perceived negative impact of railway traffic at the southern boundary of the site; and

WHEREAS, by letter dated February 19, 2008, the owner PBFL, LLC, and BECO Construction Company, Inc., agreed to accept the conditions proposed by Planning Department staff in the staff report dated October 31, 2007, and proffered additional conditions to mitigate the impact of the proposed amendment upon surrounding properties and land uses; and

WHEREAS, the Planning Commission finds that the proposed amendment, to the extent it would authorize multi-family residential development, is not fully consistent with the Comprehensive Plan 2000 General Land Use Plan (Map), which Plan identifies light industrial/flexible uses as appropriate for a substantial portion of the subject property; and

WHEREAS, the Planning Commission finds that the proposed amendment, to the extent it would authorize commercial and retail uses, is consistent with the Comprehensive Plan; and

WHEREAS, the Planning Commission observes that the land use circumstances and development patterns for the affected area of the City are in flux; and

WHEREAS, the Planning Commission has made a recommendation to City Council, via the Comprehensive Plan 2000-Amendment (2007-02), relative to a proposed amendment to the Comprehensive Plan 2000 General Land Use Plan (Map), which recommendation is based on the Planning Commission's finding that an incremental approach to amending the General Land Use Plan for the corridor within which the subject property is located is not in the best interest of the community and is inconsistent with general planning practices; and

WHEREAS, the Planning Commission finds that the conditions proffered by the owner PBFL, LLC, and BECO Construction Company, Inc., which proffered conditions include the conditions proposed by the Planning Department staff, appear to be capable of mitigating the potential for the proposed development to have adverse impacts on traffic, adjacent property owners, and the surrounding uses and values of the existing neighborhood; and

WHEREAS, the Planning Commission recommends that City Council approve the proposed amendment, with the conditions proffered by the petitioner, attached hereto and made a part hereof; and

WHEREAS, the City Council has held a public hearing on February 19, 2008, pursuant to notice thereof as required by law, on the proposed amendment to the zoning ordinance; and

WHEREAS, the City Council of the City of Petersburg has determined that the proposed amendment to the zoning ordinance should be granted, with the conditions proffered by the petitioner, attached hereto and made a part hereof.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Petersburg:


1. That the zoning ordinance, as amended, be amended further by amending the District Map constituting a part of said ordinance, as amended, so as to change the designation of the following described property from "M-1(c)", Light Industrial District (with conditions), to PUD, Planned Unit Development District, with the proffered conditions attached hereto and made a part hereof.

that certain 36.216 +/- acre parcel of land situate and being in the City of Petersburg, Virginia along the south line of U.S. Route 460/County Drive, with approximately four hundred (400') feet of frontage thereon, addressed as 2470 County Drive and further identified as Tax Parcel 040-03-0801.

2. That this rezoning is conditioned upon the compliance by the owner or owners with all of the proffered conditions contained in the attachment to this ordinance, designated "Conditions for REZ-PUD 2007-04", which is attached to, incorporated into, and made a part of this ordinance. These conditions, having been proffered by the owners or owners accepted by the City, shall continue in full force and effect until a subsequent amendment to the City's Zoning Ordinance changes the zoning of the parcel rezoned by this ordinance and specifically repeals such conditions.

3. That if the current or future owner or owners of the subject property fail to fulfill the proffered conditions incorporated into this ordinance by March 1, 2013, the Petersburg City Council may, by duly adopted ordinance, deem such conditions void, repeal this ordinance, and rezone the property.

4. That this ordinance shall take effect immediately upon adoption.

Ordinance 08-Ord-20
Adopted by the City of Petersburg Council
on 02/19/08

Mayor

Harrison Creek, LLC
609 Independence Parkway
Chesapeake, VA 23320
Phone: 757-547-1515
Fax: 757-547-5579
becohomes.com

February 19, 2008

Leonard A. Muse
Director Planning and Community Development
City of Petersburg
City Hall, Room 204
135 N. Union Street
Petersburg, Virginia 23803

RE: Proffers Relative to Harrison Creek
PBFL, LLC and BECO Construction Company, Inc., Applicants
Property Address: 2470 County Drive
REZ-PUD 2007-04

Dear Mr. Muse:

The Applicant is pleased to submit the following proffers for the above-referenced Rezoning Request to rezone Tax Parcel 040-03-0801 at 2470 County Drive, in the City of Petersburg, Virginia, consisting of 36.216 acres, more or less, from Light Industrial ("M-1") to Planned Unit Development ("PUD"). The purpose of the Rezoning Request is to permit the development of the Harrison Creek Planned Unit Development including the following land uses: Commercial/Office/Retail (4.0 acres, more or less), Office Site (1.5 acres, more or less); and Multifamily Residential containing 336 units (29.0 acres, more or less).

The proffers are as follows:

1. The Property shall be developed in general conformance with the Plan (prepared by Porterfield Design Center; dated January 10, 2008) and the Application for Planned Unit Development submitted with this case. The exact boundaries and acreage of each land use designation may be shifted to a reasonable degree at the time of site plan for each development area/use in order to accommodate engineering or reasonable design considerations. These conditions apply to the Applicant or its successors or assigns.
2. The "OutParcel Site" and "Office/Retail Site" on the Plan (prepared by Porterfield Design Center; dated January 10, 2008) shall be developed in a manner consistent with the "B-2", General Commercial District Regulations of the Zoning ordinance of the City of Petersburg with all permitted uses allowed by the Ordinance, except the following and similar such uses shall not be permitted: used vehicles sales, vehicle rebuilding or vehicle body shops or vehicle repairing facilities, used tire sales, towing lots, salvage dealers, or vehicle service operations which employ any form of outside storage of inoperative motor vehicles shall not be permitted as uses within this area, new automobile sales; adult entertainment uses of any kind, nightclubs, tatoo parlor. This land use area shall not exceed 4.0 acres.

3. The life style (multi-family) land use designation on the Plan (prepared by Porterfield Design Center; dated January 10, 2008), shall be developed in accordance with the conceptual plan submitted for Harrison Creek Apartments, and shall consist of not more than 336 multi-family units, with the unit mix set out in the Application, on a parcel of land within the PUD (Multi-family Land Use Designation) not to exceed an area of 29.0± acres. Accessory uses such as garage parking, clubhouse/community center /pool and other recreational amenities are uses allowed within this land area. The net density of multi-family uses in this land area shall not exceed a gross density of 12.85 dwelling units per acre. There shall be no other residential uses on any land use designations within the PUD.
5. The land area designated as "Office Site", as shown on the Plan (prepared by Porterfield Design Center; dated January 10, 2008) shall not exceed 1.60± acres nor shall the structures developed for office use exceed 12,000 square in area. Parking spaces shall be provided at a ratio of one space for every 200 square feet of floor area.
6. The Applicant shall execute a "Declaration of Covenants and Restrictions" (Declaration), approved in advance by the City Attorney as consistent with the Ordinance adopted approving this zoning case, and so by create the Harrison Creek Association (HCA). The HCA shall enforce the standards for development, consistent with the zoning conditions, and assure the quality of development, architectural compatibility, environmental protection and other elements of development control. The Declaration shall be recorded among the land records of the City of Petersburg prior to the conveyance of any properties by the Applicant to third parties and as soon as practicable upon approval of the zoning case.

The HCA shall be funded by all owners of property within the Harrison Creek development by payment of dues to the HCA based upon the owner's pro-rata share of the total land area, excluding the wetlands areas. The HCA shall appoint a Board of Architectural Review (BAR) which shall, prior to site plan approval by the City, review and approve all site plans, architectural designs, building heights, signage, landscaping, parking fields, lighting, pedestrian circulation plans, stormwater management facilities and such other submissions as are necessary to ensure that development within Harrison Creek achieves the high standards established by the Conceptual Site Plan, the Declarations and the zoning conditions.

7. The Applicant shall provide when applicable, its proportionate costs, dedications of rights or way, and/or construction of roadway segments as set forth in the Conceptual Site Plan and as determined by updated TIA (Traffic Impact Analysis) submitted at the time of site plan review and subject to approval by the City. Prior to approval by the City of any site plan for development within Harrison Creek, an updated TIA shall be performed and the report submitted to the City as part of the site plan submission. The Applicant shall install suitable traffic management and control measures, as determined by the City, at the intersection of the "80' Right-of-Way and County Drive", and at the intersection of the "Secondary Access to Apartments" as a condition precedent of approval of a site plan for any development within the subject PUD.

8. Landscaping shall be in general conformance with the Plan prepared by Porterfield Design Center, dated January 10, 2008, and subject to approval and/or modification by the Department of Planning and Department of Public Works at the time of any site plan submission.
9. Parking fields shall be in general conformance with the "Article 19 of the Zoning Ordinance of the City of Petersburg" subject to approval and/or modification by the Zoning Administrator.
10. Signage shall be in general conformance with the purposes of Article 21 (Sign Regulations) of the Zoning Ordinance of the City Of Petersburg and consistent with the unified system of signage set forth in the PBFL, LLC Zoning Request dated 08/06/07 prepared by Future Law, L.L.C. All signs shall require a sign permit issued under the provisions of Article 21 of the Zoning Ordinance of the City of Petersburg.
11. The pedestrian circulation system shall be in general conformance with the provisions for Recreation Amenities and Natural Areas set forth in the PBFL, LLC Zoning Request dated 08/06/07 prepared by Future Law, L.L.C. and as illustrated in the Plan prepared by Porterfield Design Center, dated January 10, 2008.
12. All uses shall be connected to public water and sewer as part of the development of the Property. The Applicant shall be responsible for the design and construction of all on-site and off-site water and sewer lines necessary to provide service to the particular land use being developed, in accordance with the applicable requirements of the City and the Commonwealth of Virginia. All lines shall be sized to serve the drainage shed in which they are located in accordance with the applicable requirements of City of Petersburg. The Applicants shall be responsible for provision of a pro-rata share of the costs of off-site improvements to the sanitary sewer capacity and conveyance system for the Poor Creek Sanitary Sewer Basin. The actual costs to be determined in consultation with the Department of Public Works at or before the time of Site Plan submission for the development as a whole or any individual or separate developments within the PUD.

13. Stormwater management facilities shall be owned and maintained by the Developer. The stormwater management ponds shall be constructed by the Developer as determined to be necessary and appropriate by the City, based on a Stormwater Management Plan consistent with the laws of the Commonwealth of Virginia and the requirements of the City of Petersburg. Such plans shall be required at the time of site plan submission. Stormwater management ponds shall primarily be wet ponds and shall be designed so as to enhance the areas in which the ponds are located. The design and location of the various ponds shall be approved by the City of Petersburg at the time of Site Plan submission.
14. The Applicant shall grant utility easements or such other easements as are necessary and appropriate for the development of Harrison Creek. The party requesting an easement shall provide a copy of the proposed easement document for review and approval in advance, such easement shall be of a minimum width necessary and shall be located in such a way that it does not reasonably interfere with the productive use of the grantor's property, and the grantee of the easement shall indemnify the grantor for any and all damages that may result of the installation and/or maintenance of such easement.
15. The developer shall, prior to the issuance of any building permit to commence construction of any building on the Property, record a restrictive covenant running with the land that provides that the subject property will not be used or operated in whole or in part as affordable rental housing described in the provisions of (i) 26 U.S.C. § 42, 26 U.S.C. § 142(d), 24 CFR § 983, 24 CFR § 236, 24 CFR § 241(f), 24 CFR § 221(d)(3), or any successors thereto; (ii) applicable state law; or (iii) similar local ordinances adopted by the locality wherein such real property is located."
16. There shall be an appropriate buffering plan, which shall include keeping as many of the existing larger trees along the boundary lines as possible, determined as part of site plan review, to provide a natural vegetative buffer between that portion of the Property developed as multifamily and the existing single family residences along the western boundary line (N 0009'11"), 2073.27 feet in length (the "Western Boundary Line"). Further, there shall be no building constructed within 30 feet of the Western Property Line.
17. There shall be a decorative fence surrounding the Property, the final location and design of which will be determined as part of site plan review, however, the fence shall be at least 6 feet in height, surround the entire portion of the Property developed as Multifamily, and shall be designed to create a "gated residential community". The location of the fence shall be designed to keep as many of the existing larger trees along the boundary lines as possible.
18. All utilities shall be underground.
19. Except for timbering approved by the Virginia Department of Forestry for the

pose of removing dead or diseased trees, there shall be no timbering on the property until a land disturbance permit has been obtained from the City and the approved devices installed.

We are pleased to make these proffers in the spirit of a commitment to excellence in the development of the Harrison Creek project, as the Applicant makes a significant investment in this area of the City and in the City of Petersburg as a whole.

The Applicant reserves the right to amend, alter or supplement these proffers until this application comes before the City Council for consideration.

With warm regards, I respectfully submit this and remain,

Very truly yours,



Jeffrey E. Miller
Director of Development

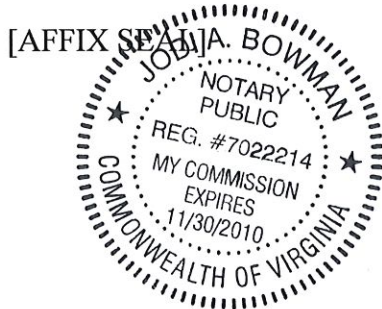
Commonwealth of Virginia:

Subscribed and sworn to before me this 19th day of February, 2008, by Jeffrey E. Miller.

My Commission Expires: 11/30/2010


NOTARY PUBLIC

Virginia Notary Registration #: 7022214



AN ORDINANCE APPROVING THE AMENDMENTS TO THE ZONING OF THE PROPERTIES LOCATED AT 1200 HARRISON CREEK BLVD, TP# 040030801, 1220 HARRISON CREEK BLVD, TP# 040030805, 1225 HARRISON CREEK BLVD, TP# 040030806, AND 1255 HARRISON CREEK BLVD, TP# 040030807 FROM PUD, B-2 GENERAL COMMERCIAL DISTRICT WITH CONDITIONS TO PUD, WITH AMENDED CONDITIONS.

WHEREAS, the City of Petersburg received a request from PBFL, LLC represented by C. Burton Cutright, to rezone property located at 1200 Harrison Creek Blvd, TP# 040030801, 1220 Harrison Creek Blvd, TP# 040030805, 1225 Harrison Creek Blvd, TP# 040030806, And 1255 Harrison Creek Blvd, TP# 040030807 From PUD, B-2 General Commercial District With Conditions To PUD, with amended conditions; and

WHEREAS, the proposed rezoning will allow the applicant to construct up to 65 single-family detached rental homes on 6.25 +/- acres of land located along Harrison Creek Blvd between Route 460 and Aqua Luxury Apartments; and

WHEREAS, the subject property is approximately 272,990.52 sq. ft. and has a public street frontage of approximately 261.06 feet, and the density of allowed development shall be controlled by zoning conditions and ordinance standards; and

WHEREAS, the subject property was previously rezoned from M-1, Light Industrial District, with conditions, to Planned Unit Development (PUD) District with proffered conditions, to permit a Planned Unit Development to be known as Harrison Creek, on a 36.216+/- acre parcel of land addressed as 2470 County Drive, further identified as Tax Parcel 040-03-0801; and

WHEREAS, the City Council adopted 08-ORD-20 approving the PUD with proffered conditions, to permit multi-family residential, commercial, office space and recreational spaces; and

WHEREAS, the approved PUD includes Office/Retail (3.97+/- acres); a Commercial Mini-Storage site (2.02+/- acres); Community Center/Pool, Multi-Family residential complex, containing 336 dwelling units within fifteen (15) structures on 28.47+/- acres; and

WHEREAS, the developers completed the construction of the multi-family dwellings with the Community Center/Pool which is now known as “Acqua Luxury Apartments” and addressed as 1200 Harrison Creek Boulevard; and

WHEREAS, the developers seek to amend the existing PUD to remove the commercial and office use requirements to permit the construction of up to an additional 65 detached single-family rental dwelling units; and

WHEREAS, adjacent properties located along County Drive are zoned B-2, General Commercial, R-1A and R-1, Single-Family Residence District, and M-1, Light Industrial District; and

WHEREAS, the 2014 Comprehensive Plan designates the subject property for commercial use; and

WHEREAS, the 2014 Comprehensive Plan Future Land Use Plan designates the subject property as commercial and industrial use; and

WHEREAS, both commercial and residential uses those properties front along US 460, County Drive, which intersects Harrison Creek Boulevard; and

WHEREAS, the proposed use will blend with the existing residential space and provide a variety of housing types in the area to those persons or families desiring more of a single-family style rental unit; and

WHEREAS, the proposed use to amend the PUD coincides with the vision of the comprehensive plan that high density residential activities should be limited to areas near major transportation arteries offering good access to employment centers, such as Fort Lee and the Tri-Cities area; and

WHEREAS, the proposed rezoning will allow for the development of currently vacant parcels of land; and

WHEREAS, the City's Zoning ordinance requires that PUD Districts consist of a minimum of ten (10) acres; and

WHEREAS, the Planning Commission will hold a public hearing and consider a resolution recommending approval of the petition during the January 6, 2021 meeting.

NOW, THEREFORE BE IT ORDAINED, that the City Council of the City of Petersburg hereby approves the proposed amendments to the PUD zoning with proffered conditions of the properties 1200 Harrison Creek Blvd, TP# 040030801, 1220 Harrison Creek Blvd, TP# 040030805, 1225 Harrison Creek Blvd, TP# 040030806, And 1255 Harrison Creek Blvd, TP# 040030807.



City of Petersburg

Department of Planning and
Community Development
804-733-2308

135 N. Union Street, Room 304
Petersburg, Virginia 23803
FAX 863-2772 TDD 733-8003

Memorandum

To: Chairwoman Tammy L. Alexander, and Members of the Planning Commission

From: Reginald Tabor, Director of Planning & Community Development
Sandra A. Robinson, Zoning Administrator

Date: November 1, 2021

Subject: Case REZ-2021-04
1220, 1225 and 1255 Harrison Creek Boulevard.
Tax Parcel: 040030805, 040030806 and 040030807

Request by PBFL, LLC represented by C. Burton Cutright, to rezone property located at 1220 Harrison Creek Blvd, 1225 Harrison Creek Blvd and 1255 Harrison Creek Blvd, future identified as TP# 040030805, TP# 040030806, and TP# 040030807, from PUD, B-2, General Commercial District with conditions to PUD, no restrictions. This action will also require an amendment change of the district to the zoning map from PUD with conditions to PUD, no restrictions. The proposed rezoning will allow the applicant to construct 52 single-family detached rental homes on 6.26+/- acres of land located along Harrison Creek Blvd between Route 460 and Acqua Luxury Apartments. The subject property is approximately 272,990.52 sq. ft. and has a public street frontage of approximately 261.06 feet. The density of allowed development shall be controlled by zoning conditions and ordinance standards.

I. Statement of Fact

The subject property was previously rezoned from M-1, Light Industrial District, with conditions, to PUD, Planned Unit Development District, to permit a Planned Unit Development District (PUD) to be known as Harrison Creek, on a 36.216+/- acre parcel of land addressed as 2470 County Drive, further identified as Tax Parcel 040-03-0801. The purpose of that request was to facilitate a development offering "upscale office, commercial and lifestyle residential apartments in a mixed-use community. The proposal included Office/Retail (3.97+/- acres); a Commercial Mini-Storage site (2.02+/- acres); Community Center/Pool, Multi-Family residential complex, containing 336 dwelling units within fifteen (15) structures on 28.47+/- acres. The developers completed the construction of the multi-family dwellings with the Community Center/Pool which is now known as "Acqua Luxury Apartments" and addressed as 1200 Harrison Creek Boulevard. The applicants met with the Department of Planning and Community Development staff to discuss their desire to **amend the existing PUD** from the commercial uses to the construction of an additional 52 detached single-family rental dwelling units. Staff advised the developers that their request would be required to undergo a rezoning review by the Planning Commission and the City Council for approval of the amended changes from those uses that were originally approved. Hence, the developers are looking for the favorable recommendation from the Planning Commission and City Council approval.

II. Surrounding Conditions:

The subject property is zoned PUD, approved for both commercial and residential usage. The multi-family (apartment) usage is currently developed at the site. This development is known as "Acqua Luxury Apartments" and all properties located along the north side of County Drive are zoned B-2, General Commercial, R-1A and R-1, Single-Family Residence District. Pinetree Apartments are located further south along County Drive. The subject property is located near the entrance of Roma Plaza Inc., (Roma's Pizza) which is in a shopping center across the road along County Drive and is zoned B-2, General Commercial District in addition to a two-story strip commercial building containing roughly 5,344 square foot of retail/office space and has been designated as commercial since annexation into the City of Petersburg in 1972. There is a large parcel 75.18 parcel of land which fronts County Drive, addressed as 2588 County Drive located along County Drive and abuts the rear portion of the original PUD which is zoned M-1, Light Industrial District. The I-95 and I-295 interchange is near the subject property. Much of the property along County Dr (US 460) occurred during the 1950's and 60's, and since that time there's been limited scattered development.

II. Findings

- A. The 2014 Comprehensive Plan designates the subject property for Commercial use those properties fronting along US 460 and Residential usage.
- B. The property is currently zoned as "PUD", Planned Unit Development District which allows for multi-family residential and a mixture of commercial, office and recreational uses. The recommendation to approve was granted on December 5, 2007, by the Planning Commission and City Council granted the approval of the existing PUD, at its February 19, 2008, meeting under Ordinance, 08-ORD-20, to permit multi-family residential, commercial, office space and recreational spaces. The proposed use will blend with the existing residential space and provide a variety of housing types in the area to those persons or families desiring more of a single-family style of development.
- C. The proposed use to amend the PUD, along the County Drive corridor at Harrison Creek Blvd coincides with the vision of the comprehensive plan that high density residential activities should be limited to areas near major transportation arteries offering good access to employment centers, such as Fort Lee and the Tri-Cities area.
- D. It is not believed that the proposed location will pose a burden to the existing neighborhood as the existing businesses have been operating in and around this corridor for several years.
- E. There shall be any increase in noise after construction is completed nor is it expected at the property boundaries. The proposed location is a major corridor and has the capacity to handle anticipated traffic.
- F. The proposed rezoning will allow for the development of currently vacant parcels of land thereby increasing and boosting tax revenue for the city.
- G. The site is currently served by water and sewer, and no indication has been given by the utilities department that the proposed development would overburden existing facilities. The previous petition was presented and approved with the intention of further development of the subject parcels. Any future construction activity will be subject to site plan review prior to undertaking land disturbing activity. Such activity requires the submission of a Land Disturbance Permit Application, stormwater management calculations, and the preparation of an Erosion and Sediment Control Plan.
- H. The subject property is not located within a Historic District.

III. Statement of Law

Article 26, "PUD" Planned Unit Development District, of the Zoning Ordinance of the City of Petersburg, Provides that Single-use zoning often has tended to constrain imaginative design for new community projects. The Planned Unit Development District, by offering developers the opportunity to overcome traditional zoning limitations, is intended to encourage innovative design approaches to large-scale subdivisions and commercial development. The purpose of this article is to establish procedures and standards for planned unit developments in order to achieve the following objectives: (1) Promote the use of land planning and design techniques that will result in the efficient, economical, and convenient arrangement of differing land uses, including residential and

commercial, and their supporting infrastructure; (2) Encourage flexibility in design to retain natural land features, including but not limited to floodplains, steep slopes and unique geological formations as well as historical and archeological areas; (3) Provide the reservation of land for public or private community facilities, including open space for scenic and recreational use; and (4) Encourage the creation of a variety of residential uses and compatible neighborhood arrangements that give the home occupant greater choice in the selection of types of environment and housing units.

Definition. A planned unit development is herein defined as a complete development scheme. This scheme should include development programs and plans for all land and structural improvements within the planned area and should be in accord with the comprehensive plan and other such guidelines and objective as may be established by the city council. Such development may be permitted on tracts of at least ten (10) acres which are under unified ownership or control.

IV. Recommendation

The Department of Planning & Community Development will withhold its recommendation until after the public hearing and the presentation by the petitioner(s).

V. Exhibits

- 1) Tax Parcel Map Extract
- 2) Zoning Map Extract
- 3) Tax Assessor File Record
- 4) Comprehensive Plan 2014 Existing Land Use
- 5) Applicants Petition w/Exhibits
- 6) Applicants Project Summary attached to application



City of Petersburg

Department of Planning and Community Development

PROCEDURES FOR PETITION FOR REZONINGS OR SPECIAL USE PERMITS

1. Applicant files petition with the Petersburg Department of Planning and Community Development, City Hall, 135 N Union Street, Petersburg, Virginia 23803.
2. **The Filing fee for Petitions for Rezoning or Special Use Permits is \$1,500.** A Check or Money Order *made payable to the City of Petersburg* is to accompany the application.
3. A Plat of the property must also accompany the petition.
4. The Department of Planning and Community Development Staff will refer the petition to the Planning Commission to hold a public hearing and consideration the petition. Department of Planning and Community Development staff shall advertise the public hearing twice during a fourteen-day period, and the Planning Commission will hold a public hearing, and make a recommendation to the City Council regarding the petition.
5. The City Council schedules then advertises a public hearing regarding the petition.
6. The City Council holds a public hearing then considers the petition with the Planning Commission recommendation and renders a final decision to approve or disapprove the petition.

PLEASE NOTE: The rezoning or special use permit process may take up to three months.

PETITION FOR REZONING OR SPECIAL USE PERMIT

RETURN TO: DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
(CITY HALL, THIRD FLOOR, ROOM 304)
FILING FEE: \$1,500 (CHECK OR MONEY ORDER) AT THE TIME OF SUBMITTAL

CASE NUMBER: _____

APPLICANT: PBFL, LLC

ADDRESS: 609 Independence Parkway, Suite 200
Chesapeake, VA 23320

I, C. Burton Cutright hereby petition to rezone the following described properties
from zoning district PUD with B-2 restriction to zoning district PUD, no restriction

A. DESCRIPTION OF PROPOSED USE: (ATTACH ADDITIONAL DOCUMENTS IF NECESSARY)

Applicant proposes to construct 52 single-family detached rental homes on 6.26+/- acres located
along Harrison Creek Boulevard between Route 460 and 1200 Acqua Luxury Apartments.

The proposed development is more particularly described in the attached Project Summary.

B. PROPERTY INFORMATION

1. Tax Parcel Identification Number(s):

040030805, 040030806, 040030807

2. Current Street Address(es) if assigned:

1220 Harrison Creek Blvd, 1225 Harrison Creek Blvd, 1255 Harrison Creek Blvd

3. Approximate Area:

272,990.52 sq. ft. 6.267 +/- acres

4. Public Street Frontage:

261.06 ft.

5. A boundary plat of this property outlining the area to be rezoned must be attached to this petition.

6. The following deed restrictions may affect the use of this property:

7. Brief:

Said deed restrictions will expire on:

C. JUSTIFICATION FOR REZONING

1. The proposed change in zoning is necessary for the preservation and enjoyment of a substantial property right because: (Provide a detailed statement of reasons why the proposed rezoning should be granted).

See attached Project Summary.

2. The material impact of the proposed rezoning will not be detrimental to the public welfare of the City nor to adjacent property owner(s) or properties located within the nearby vicinity because: (Specify reasons to substantiate this statement).

See attached Project Summary

3. The proposed rezoning will be advantageous to the City and benefit the welfare of the general public because: (Specify reasons to substantiate this statement).

See attached Project Summary

4. The proposed rezoning is necessary because suitable property for the proposed use is not presently situated within required existing zoning districts. (Specify reasons for this determination).

See attached Project Summary

D. CERTIFICATION:

The undersigned applicant certifies that they:

 X (a) are the owner, lessee or agent for (specified in writing)

 (b) possess a proprietary interest in (contract or option agreement)

the property(ies) identified within this PETITION FOR REZONING, and that the foregoing information and statements herein provided, and all other information herewith submitted, are in all respects true and correct to the best of their knowledge and belief.

Signed:


C. Burton Cutright, Manager

Mailing Address:

609 Independence Parkway, Suite 200
Chesapeake, VA 23320

Phone Number:

(757) 547-1515

Email Address:

bcutright@becoasset.com

POC: Jon M. Babineau, General Counsel
609 Independence Parkway, Suite 115
Chesapeake, VA 23320

email: jbabineau@becoasset.com
direct telephone no.: 757-842-6369

APPROVED

City Attorney

TO BE FILED IN THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION RECORD

Date Filed (with Planning Department):

Date of Planning Commission Public Hearing:

Planning Commission Action(s):

Date of City Council Hearing:

City Council Action(s):

PETITION FOR ZONING CHANGE

Property Owner(s): Adjacent to Affected Property

<u>NAME(S)</u>	<u>Address(es)</u>
1200 Acqua, LLC	<u>609 Independence Parkway, Suite 200</u> <u>Chesapeake, VA 23320</u>
St. Andrew's Charismatic Episcopal Church	<u>2460 County Drive</u> <u>Petersburg, VA 23803</u>
Gilvia V. Stith	<u>3242 Longhorn Drive</u> <u>Colonial Heights, VA 23834</u>
Donald Ray and Debbie H. Ferguson	<u>2476 Poe Lane</u> <u>Petersburg, VA 23803</u>
Debray Properties, LLC	<u>2476 Poe Lane</u> <u>Petersburg, VA 23803</u>

For additional names, use back of sheet

PROJECT SUMMARY

COTTAGES AT HARRISON CREEK

INTRODUCTION

Introducing the Cottages at Harrison Creek

The Cottages at Harrison Creek is a proposed development of 52 cottage-style rental homes to be built for the residents of the City of Petersburg. The proposed pocket neighborhood community will include a mix of 1-bedroom/1-bathroom (17 units) and 2-bedroom/ 2-bathroom (35 units) single-family rental homes and will be located on approximately 6.267+/- total acres along Harrison Creek Boulevard between Route 460 and 1200 Acqua Luxury Apartments. The Cottages at Harrison Creek development combines the positives of residential subdivision living and apartment-style living. Residents will enjoy the privacy and neighborhood feel of living in a single-family detached home community. The development will consist of small clusters of 1-story and 2-story houses that are interconnected by sidewalks and separated by private and community green space. Residents will enjoy the feeling of a traditional neighborhood without the financial burdens of homeowners' association fees and saving for a down payment. Residents will enjoy the affordability and convenience of living in an apartment-style community as rental units and surrounding green space areas are maintained by a professional management company. Residents will have access to common apartment-living group amenities such as a fitness room and pool without the drawbacks of having to share walls with noisy neighbors or haul groceries, pets, or kids to upper floors. The proposed medium-density development will provide a unique, high-quality, and affordable housing option to the residents of Petersburg.

ZONING CLASSIFICATION

Existing to Proposed

The current zoning of the three parcels, which total approximately 6.26+/- acres, is Planned Unit Development "PUD". The three subject parcels are the remainder of a larger 36.216+/- parcel that was rezoned from M-1(c) Light Industrial District (with restrictions) to PUD classification by adoption of city ordinance, 08-Ord-20 ("Ordinance"). The Ordinance modified the zoning classification of the entire 36.216-acre parcel and encumbered the three subject parcels with certain proffered restrictions and requirements. The Ordinance prevents the three subject parcels from being used for residential uses. [The Ordinance restricted residential

uses to the portion of the Applicant's conceptual plan that was designated as lifestyle/multi-family (1200 Acqua Luxury Apartments, the 336-unit luxury apartment community located to the south of the proposed development).] Additionally, two of the parcels must be developed in a manner consistent with "B-2" General Commercial District Regulations and the third parcel is limited to use as office use (with certain lot, structure, and parking requirements/limitations.) The current proffers prevent the Applicant from developing the parcels for a medium-density residential use. The Applicant believes that the proposed use for medium density residential development is the highest and best use of the land and that this use will offer the greatest benefit to Petersburg and its citizens. The Applicant respectfully requests that the City remove the proffered restrictions in the Ordinance that prevent the property from being developed for residential use.

In 2008, the Applicant intended to develop the three parcels for commercial, retail and office space as designated on its concept plan for the planned development known as Harrison Creek. Harrison Creek followed the Petersburg Comprehensive Plan and the Applicant's vision of a mixed-use development. For years, the Applicant aggressively marketed the parcels in attempt to attract commercial and business partners to enter this area, but it has been unsuccessful in its efforts. It is well-know that there has been great disruption in the commercial market over the last several years. The recent global pandemic has added to the decline and businesses have closed. Currently, there is significant square footage of open commercial space and business store front in the Petersburg area. An in-house analysis of the Petersburg submarket historical leasing data shows that the availability of available space is increasing. While market rental rates appear to be mostly stable, Fiscal Quarter 2 of 2021 showed leasing demand net absorption square footage at negative 27,627 SF. As businesses appear to be moving away from brick-and-mortar buildings to online platforms and delivery-based enterprises, it is unclear whether the pandemic has created a temporary disruption or a permanent change to "business as usual". Additional unoccupied commercial, business and office space is not needed and will not benefit the City or its residents. The subject parcels are currently vacant. Vacant land does not create jobs, attract residents, or generate much tax revenue. As stated in the Comprehensive Plan, Petersburg needs additional and diverse housing options for its residents. The proposed development can help the City meet its objective.

COMPREHENSIVE PLAN

Unique and Affordable Housing Option

The proposed Cottages at Harrison Creek development will be located on Harrison Creek Boulevard at the entrance of 1200 Acqua Luxury Apartments. The proposed development has approximately 261 feet of frontage along Route 460. The Route 460 corridor is strategically located between Interstate 95 and Interstate 295. The proposed development would be easily accessible from anywhere in the Petersburg/Richmond area and would be exceptionally convenient to the “back gate” of Fort Lee.

The expansion of Fort Lee has brought roughly 11,000 new residents to the Petersburg region. According to the Comprehensive Plan, the areas surrounding Petersburg have had an increase in housing while Petersburg has experienced a decline in the total number of housing units. (Comprehensive Plan, p. 55) The proposed development will add much needed units to Petersburg’s housing inventory.

In the 2040 Draft Comprehensive Plan, the City sets an objective to continue to encourage the creation of a variety of residential uses and compatible neighborhood arrangements in order to offer a variety of housing options to its residents. Article 26 of the Petersburg Zoning Ordinance explains that an objective of the [PUD] designation is to foster a variety of housing options that will give the home occupant greater choice in the selection of environment and housing units. (Zoning Ordinance, Art. 26, Sec. 1(4)). The proposed development supports the City’s objective as found in the Comprehensive Plan and is in accordance with the PUD classification as found in the Zoning Ordinance. The Applicant is proposing a flexible, innovative land use which is consistent with modern and future planning practices that will help to provide a diverse housing inventory and accommodate the growing housing needs of Petersburg. The proposed development presents a unique housing option. The units are designed to offer the renter the community-centered, neighborhood lifestyle that has been traditionally reserved for homeowners. Residents will enjoy backyards, front yards, common green spaces, trails, and traditional neighborhood living but will not need to pay homeowners’ association dues, struggle to save for a down payment, or navigate the sometimes-burdensome loan qualification process. Residents will enjoy the amenities of luxury apartment living like access to a community pool, dog parks, and property management services. For those

that prefer living in a house to an apartment, renting removes the risk and uncertainty that comes with timing a home purchase given the volatility of the real estate market, especially for those who may be subject to short-term ownership due to the transient nature of their employment. The build-to-rent nature of the planned development also removes the stigma some renters feel when moving into neighborhoods where homes are predominately owner-occupied.

The market for this type of unique housing option is rapidly growing and in demand. It attracts homeowners looking to downsize but not eager to rent an apartment, young families and aging adults that find renting more practical than owning a home, and professionals that are not ready for home ownership but are looking for a neighborhood community.

“BECO” and Petersburg have enjoyed the success of 1200 Acqua Luxury Apartments since its construction in 2010. BECO Asset Management, LLC, an affiliated company, manages 1200 Acqua. BECO Asset Management will also serve as the professional management company for The Cottages at Harrison Creek and will offer residents the same high-quality renting experience as is known at 1200 Acqua. BECO Asset Management’s dedicated marketing department will develop a detailed plan to attract prospective residents to the proposed development. Through the diligent efforts of BECO Asset Management and its marketing department, all BECO Asset Management managed properties enjoy high retention and occupancy rates. For example, 1200 Acqua consistently has an occupancy rate of 97%.

The ongoing global pandemic has highlighted the health needs of certain health-compromised individuals. These individuals are seeking to avoid shared spaces like common areas, elevators, and enclosed stairwells. The pandemic has also given us a greater appreciation of outdoor spaces. The proposed development includes abundant shared green space and trails are to be incorporated in the site development plan stage. Additionally, each house includes a backyard, front yard, or both.

THE PLANNED UNIT DEVELOPMENT APPLICATION

The Applicant respectfully requests that the City approve an amendment to the current zoning ordinance which removes the limitations placed on the three parcels for the reasons stated in this project summary. As required by the zoning ordinance, the Applicant presents the following information for consideration and review.

CONCEPT PLAN. Included with the Application are three copies of the Conceptual Plan prepared by David Taylor, dated May 13, 2021, showing the proposed concept for The Cottages at Harrison Creek development. Also included are three copies of a map showing the location of the proposed development in relation to the surrounding area including the location of streets, utilities, schools, and commercial facilities.

The three subject parcels total approximately 6.26 +/- acres, including 0.4 +/- acres of wetlands. The proposed development will include a neighborhood of 52 cottage-style rental homes located along Harrison Creek Boulevard between 1200 Acqua Luxury Apartments (an affiliated multi-family community) and County Drive/Rt. 460. The mix of one- and two-story detached houses will range in size from 900 to 1100 sq. ft. and will include both one-bedroom (17 units) and two-bedroom (35 units) rental homes. The cottages will be linked by interconnected sidewalks and shared open green spaces. The Cottages at Harrison Creek will provide the privacy and living style of a traditional single-family neighborhood with the affordability, convenience, and amenity access provided by apartment living.

WETLANDS. Three copies of the Wetlands Delineation report prepared by MAP Environmental, Inc. are included with the Application. This report summarizes the soil conditions, general topography and location and character of surface water. MAP Environmental is currently coordinating with the Army Corps of Engineers to gain wetlands certification. A copy of the COE certification will be forwarded upon our receipt.

DRAINAGE MANAGEMENT. The proposed development will utilize the storm water facility located on the back of the 1200 Acqua, LLC property to accommodate the reduced flow – impervious space that is created by its construction. The stormwater management plan that was implemented when the original 32.261 +/- acre mixed use project was rezoned to PUD included and considered the development of the three subject parcels for commercial, business and retail office use. The proposed development will incorporate significant amounts of green area/pervious areas in contrast to the mostly impervious areas that were originally contemplated. The storm water facility is sufficient to handle the proposed development.

TRANSPORTATION. The Cottages at Harrison Creek is positioned in the Route 460 Corridor and has easy access to both Interstate 95 and Interstate 295. The proposed development is located along Harrison Creek Boulevard between Route 460 and 1200 Acqua Luxury

Apartments. At the time the larger 32-acre parcel was rezoned to the PUD classification, traffic to these parcels was considered and planned for. The current proposed use as medium density residential use would generate less traffic than the commercial and retail use that was originally planned. Presently, there are both a right- and left-turn lane along Route 460 with approximately 200 feet of storage and 200 feet of taper, which is more than adequate to address the increase in traffic resulting from the proposed development. Also, Harrison Creek Boulevard provides for separate left and right turn exit lanes which will reduce delays when exiting the site.

SURROUNDING USES. The subject property is bounded to the north partially by Route 460/County Drive (parcels to the north of Route 460 are classified as B-2) and partially by B-2 zoned parcels, to the south by a parcel classified as PUD (1200 Acqua Luxury Apartments), to the east by an access road to 1200 Acqua Luxury Apartments classified as PUD (land east of road is zoned R-1), and to the west by parcels with “null” or no listed zoning classification (which appear to be used as residential).

The proposed construction of 52 single-family residential rental units on 6.26+/- acres would result in a density of 8.3 units per acre. This medium density development provides an appropriate and necessary transitional buffer between the R-1 zoned land that is located nearby (adjacent to the emergency access road located to the east of the proposed development), the land of unknown classification (appears to be residential use) to the west, and the B-2 zoned property located to the north (along Harrison Creek Boulevard) and the nearby B-2 zoned property located to the north of Route 460. Petersburg will also benefit from the increase in real estate tax revenue that will be generated by the development of the land.

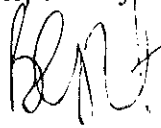
VEGETATION, BUFFERING AND SCREENING. There is extensive existing landscaping along Route 460/County Drive and Harrison Creek Boulevard and along the adjacent lot boundary lines. To the extent possible, mature landscaping will be preserved. This existing tree cover will be supplemented with additional planting. A key feature of The Cottages at Harrison Creek is the open green space that will be incorporated throughout the development to create an established neighborhood feel. Each unit will have a front yard, backyard, or both. Existing and proposed landscaping will provide shading, screening, and a sense of privacy and separation between the development and adjacent lots and public roadways.

PARKING. The proposed development will include 104 paved and marked parking spaces (2 per unit), with dimensions that comply with the zoning ordinance. All parking areas will be screened from public streets and adjacent land uses. Existing mature landscaping along Route 460 and Harrison Creek Boulevard will be retained, to the extent possible, and enhanced with additional landscape materials as shown on the Concept Plan.

SIGNAGE. The Cottages at Harrison Creek will incorporate a signage system that consists of high-quality materials and utilizes color, lighting, shapes, and other design elements to promote a cohesive and unified image that is consistent with the zoning ordinance and the "BECO brand".

"BECO" has been a Petersburg community partner since 2008. We are excited to grow our relationship with the City and its residents by expanding our investment in this community. We thank you for your consideration of this request. If you have any questions or require additional information, please do not hesitate to contact me at bcutright@becoasset.com or 757-514-1515, or you may reach Jon Babineau, General Counsel, at jbabineau@becoasset.com or 757-842-6369. We look forward to working with you.

Respectfully submitted,



C. Burton Cutright, Manager
PBFL, LLC



SITE DATA:	
TOTAL AREA	6.3 +/- AC
WETLANDS	0.4 +/- AC
NET AREA	5.9 +/- AC
TOTAL UNITS	52
PARKING	104 SPACES (2 SPACES/ UNIT)



THE COTTAGES AT ACQUA - PETERSBURG, VA

Conceptual Development Plan - May 13, 2021

2) ZONING MAP EXTRACT



2) Zoning Map Abstract – Harrison Creek Boulevard Properties



Petersburg, Virginia

Legend

County Boundaries

Parcels

Zoning

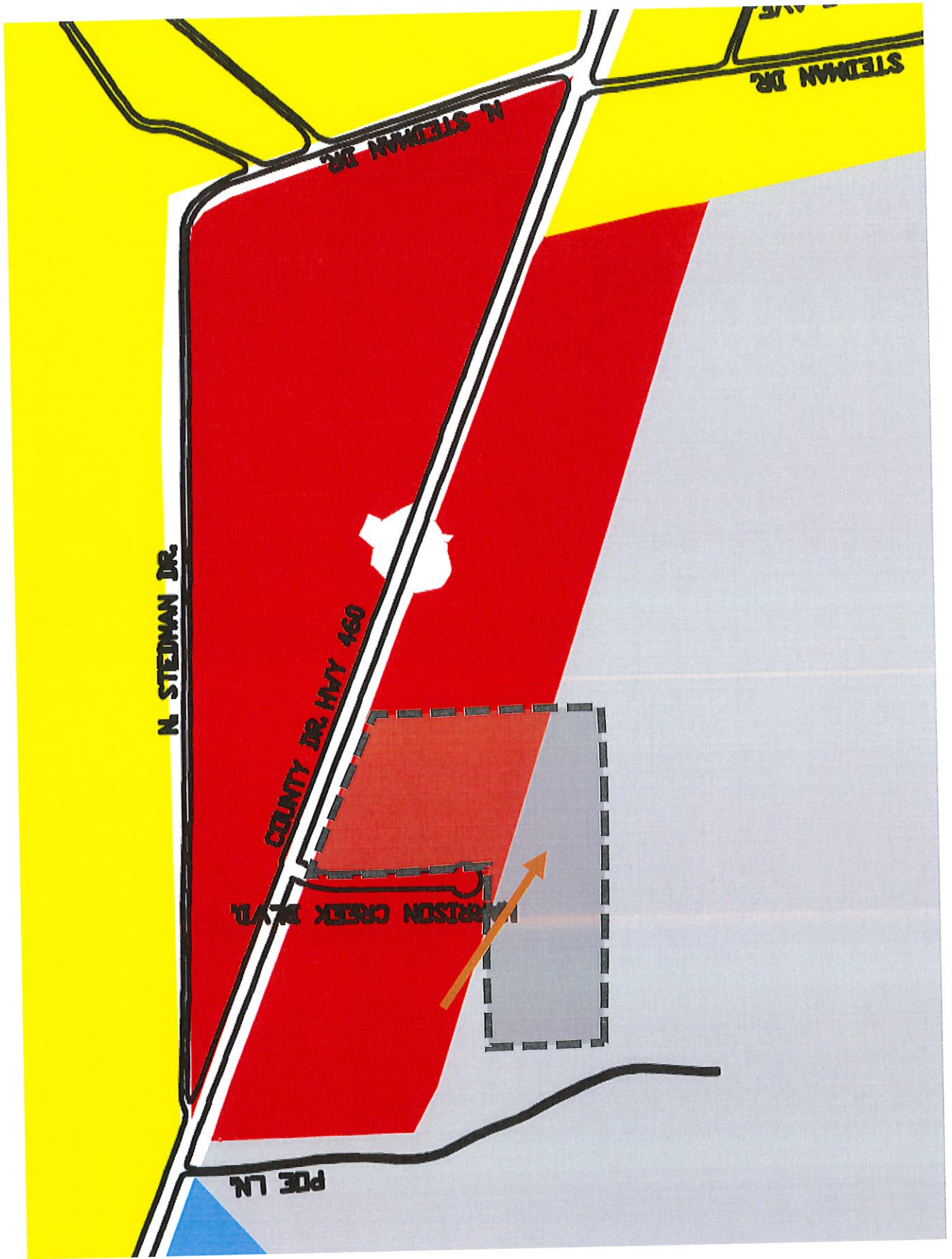
- A
- B-1
- B-2
- B-3
- M-1
- M-2
- MXD1
- MXD2
- PUD
- R-1
- R-1A
- R-2
- R-3
- R-4
- R-5
- R-6
- RB
- RMH
- RTH



Date: 11/1/2021

Title: Zoning: Harrison Creek Properties

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Petersburg, Virginia

Parcel:

040030805

Summary

Owner Name	PBLF LLC	National Historic District:	
Owner Mailing Address	609 INDEPENDENCE PKWY CHESAPEAKE, VA 23320	Enterprise Zone:	
Property Use	400	Opportunity Zone:	51730811200
State Class:	4	VA Senate District:	16
Zoning:	PUD	Va House District:	63
Property Address	1220 HARRISON CREEK B PETERSBURG, VA	Congressional District:	4
Legal Acreage:	2.46	City Ward:	2
Legal Description:	PARACEL C2.464 ACRESHARRISON CREEK SUBD	Polling Place:	Blandford Academy
Subdivision:	Harrison C	Primary Service Area:	
Assessment Neighborhood Name:	Harrison C	Census Tract:	8112
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:	0
Attached Garage:	0	Bedrooms:	0
Detached Garage:		Full Baths:	0
Enclosed Porch:		Half Baths:	0
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	7/14/2006	\$0	2006-3510

Assessments

Valuation as of	July 1, 2016	July 1, 2017	July 1, 2018	July 1, 2019	January 1, 2020
Effective for Billing:	July 1, 2016	July 1, 2017	July 1, 2018	July 1, 2019	July 1, 2020
Reason	Land Book	Land Book	Land Book	Land Book	Land Book
Land Value	\$86,200	\$86,200	\$86,200	\$86,200	\$86,200
Improvement Value	\$	\$	\$	\$	\$
Total Value	\$86,200	\$86,200	\$86,200	\$86,200	\$86,200

Property Tax (Coming Soon)

Petersburg, Virginia

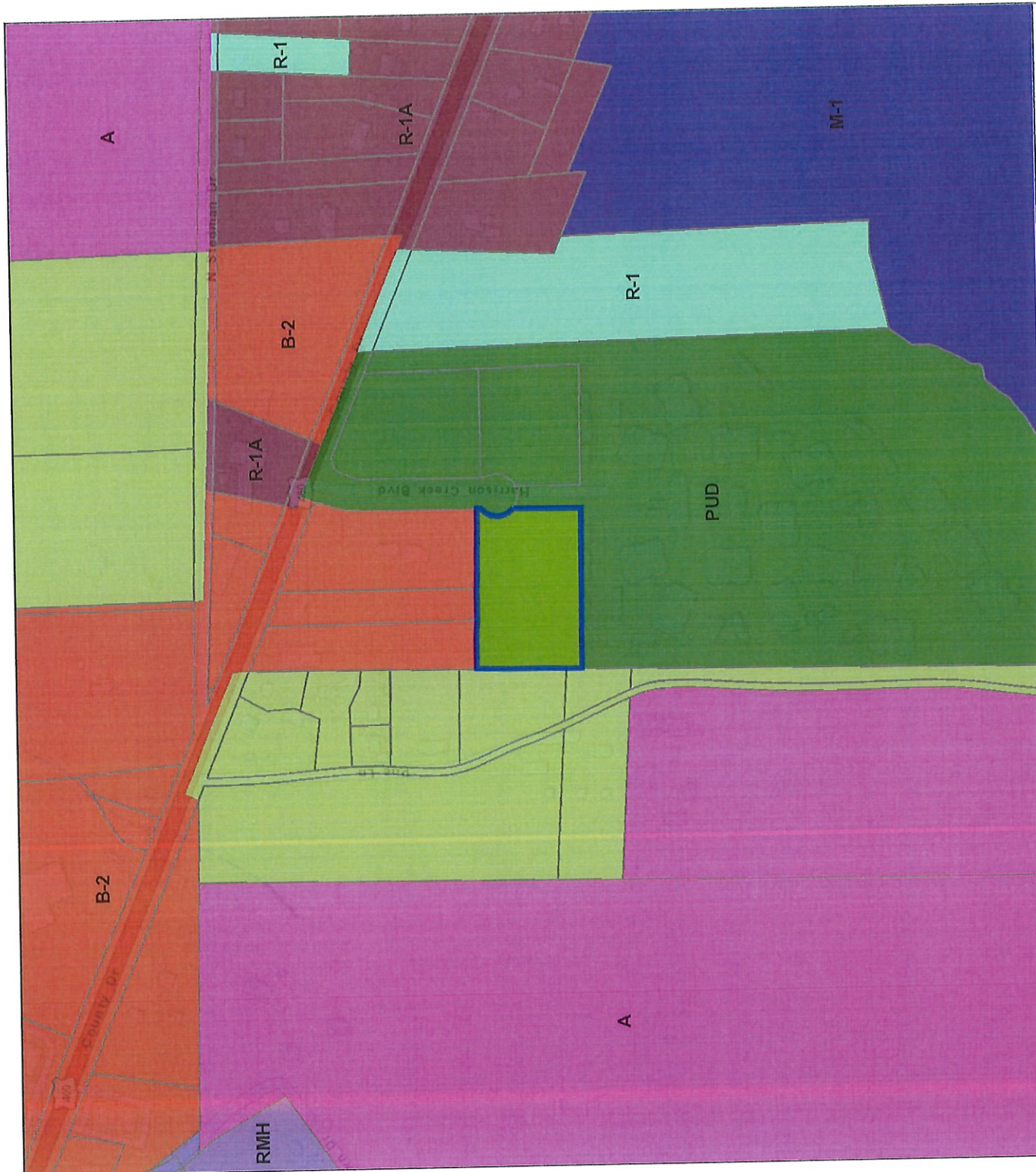
Legend

County Boundaries

Parcels

Zoning

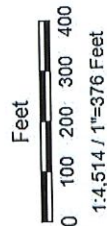
- A
- B-1
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- B-3
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- PUD
- R-1
- R-1A
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- R-4
- R-5
- R-6
- RB
- RMH
- RTH



Date: 11/1/2021

Parcel #: 040030805

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1220 County Drive



Petersburg, Virginia

Parcel:

040030806

Summary

Owner Name	PBLF LLC	National Historic District:	
Owner Mailing Address	609 INDEPENDENCE PKWY CHESAPEAKE, VA 23320	Enterprise Zone:	
Property Use	400	Opportunity Zone:	51730811200
State Class:	4	VA Senate District:	16
Zoning:	PUD	Va House District:	63
Property Address	1225 HARRISON CREEK B PETERSBURG, VA	Congressional District:	4
Legal Acreage:	1.74	City Ward:	2
Legal Description:	PARCL B1.746 ACRES HARRISON CREEK SUBD	Polling Place:	Blandford Academy
Subdivision:	Harrison C	Primary Service Area:	
Assessment Neighborhood Name:	Harrison C	Census Tract:	8112
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:	0
Attached Garage:	0	Bedrooms:	0
Detached Garage:		Full Baths:	0
Enclosed Porch:		Half Baths:	0
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	4/14/2006	\$0	2006-3510

Assessments

Valuation as of	July 1, 2016	July 1, 2017	July 1, 2018	July 1, 2019	January 1, 2020
Effective for Billing:	July 1, 2016	July 1, 2017	July 1, 2018	July 1, 2019	July 1, 2020
Reason	Land Book	Land Book	Land Book	Land Book	Land Book
Land Value	\$61,100	\$61,100	\$61,100	\$61,100	\$61,100
Improvement Value	\$	\$	\$	\$	\$
Total Value	\$61,100	\$61,100	\$61,100	\$61,100	\$61,100

Property Tax (Coming Soon)

Petersburg, Virginia

Legend

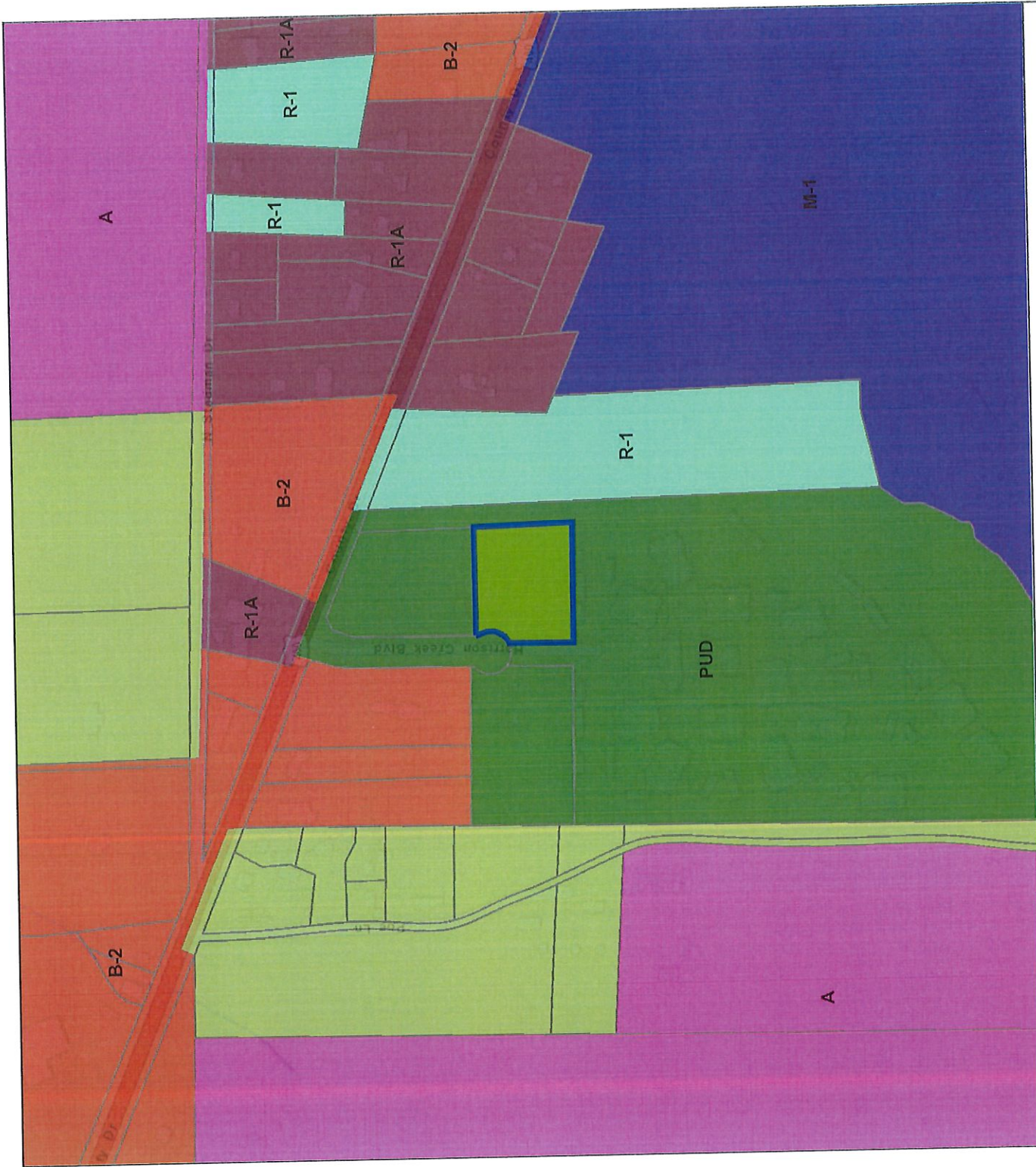
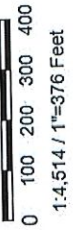
County Boundaries

Parcels

Zoning

- A
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- B-2
- B-3
- M-1
- M-2
- MXD1
- MXD2
- PUD
- R-1
- R-1A
- R-2
- R-3
- R-4
- R-5
- R-6
- RB
- RMH
- RTH

Feet



Parcel #: 040030806

Date: 11/1/2021

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1225 Harrison Creek Blvd



Petersburg, Virginia

Parcel:

040030807

Summary

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Owner Mailing Address	609 INDEPENDENCE PKWY CHESAPEAKE, VA 23320	Enterprise Zone:	
Property Use	400	Opportunity Zone:	51730811200
State Class:	4	VA Senate District:	16
Zoning:	PUD	Va House District:	63
Property Address	1255 HARRISON CREEK B PETERSBURG, VA	Congressional District:	4
Legal Acreage:	2.04	City Ward:	2
Legal Description:	PARCEL A2.043 ACRES	Polling Place:	Blandford Academy
Subdivision:	Harrison C	Primary Service Area:	
Assessment Neighborhood Name:	Harrison C	Census Tract:	8112
Local Historic District:		Elementary School:	Lakemont
		Middle School:	Vernon Johns Middle School
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Enclosed Porch:		Half Baths:	0
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	7/14/2006	\$0	2006-3510

Assessments

Valuation as of	July 1, 2016	July 1, 2017	July 1, 2018	July 1, 2019	January 1, 2020
Effective for Billing:	July 1, 2016	July 1, 2017	July 1, 2018	July 1, 2019	July 1, 2020
Reason	Land Book	Land Book	Land Book	Land Book	Land Book
Land Value	\$71,500	\$71,500	\$71,500	\$71,500	\$71,500
Improvement Value	\$	\$	\$	\$	\$
Total Value	\$71,500	\$71,500	\$71,500	\$71,500	\$71,500

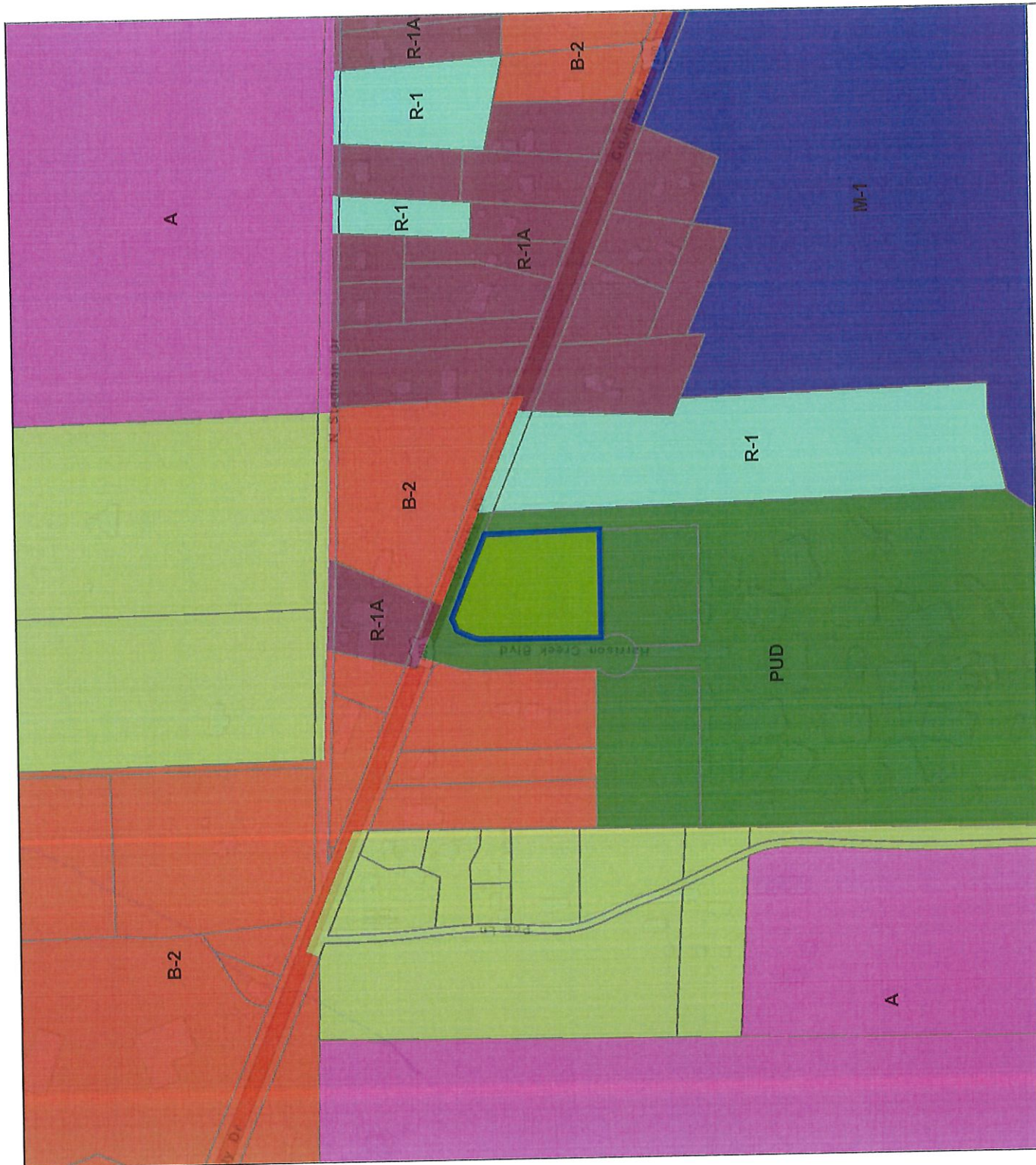
Property Tax (Coming Soon)

Petersburg, Virginia

Legend

- ☒ County Boundaries
☐ Parcels
☐ Zoning

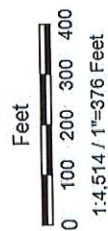
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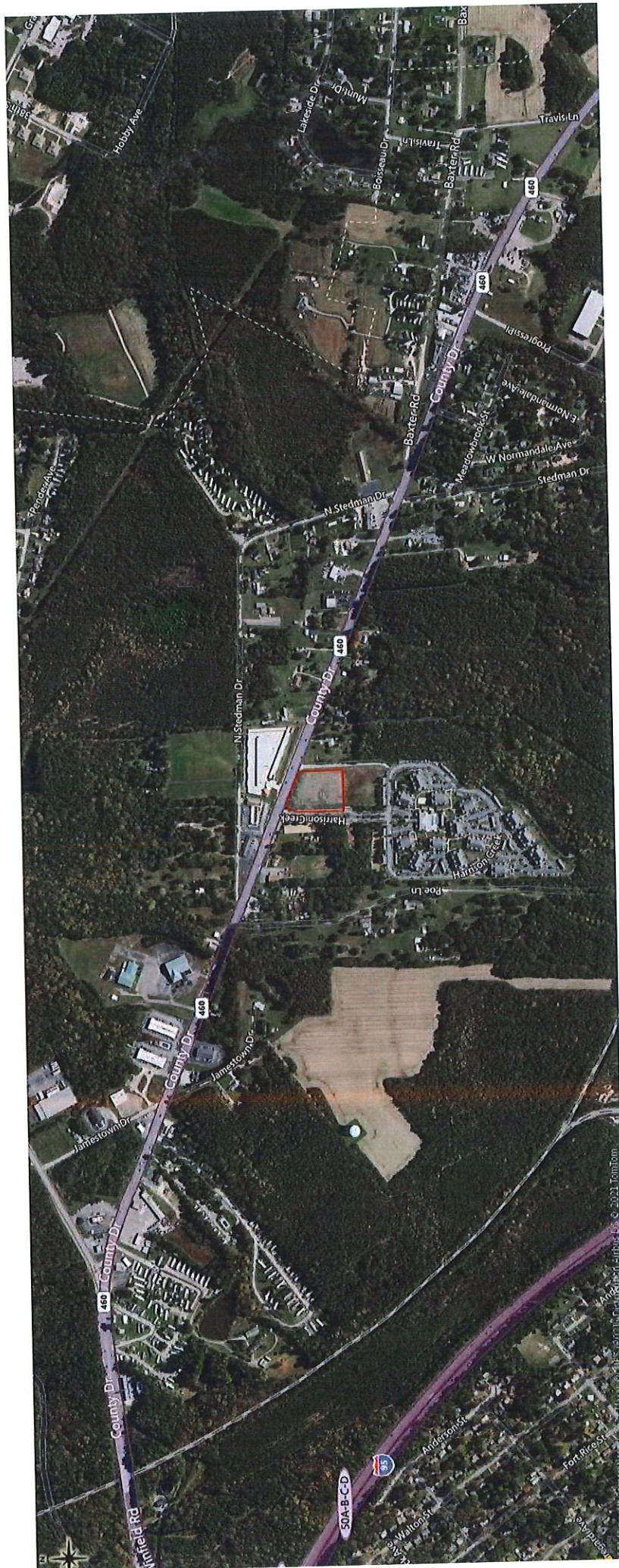
Parcel #: 040030807

Date: 11/1/2021

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1255 Harrison Creek Blvd



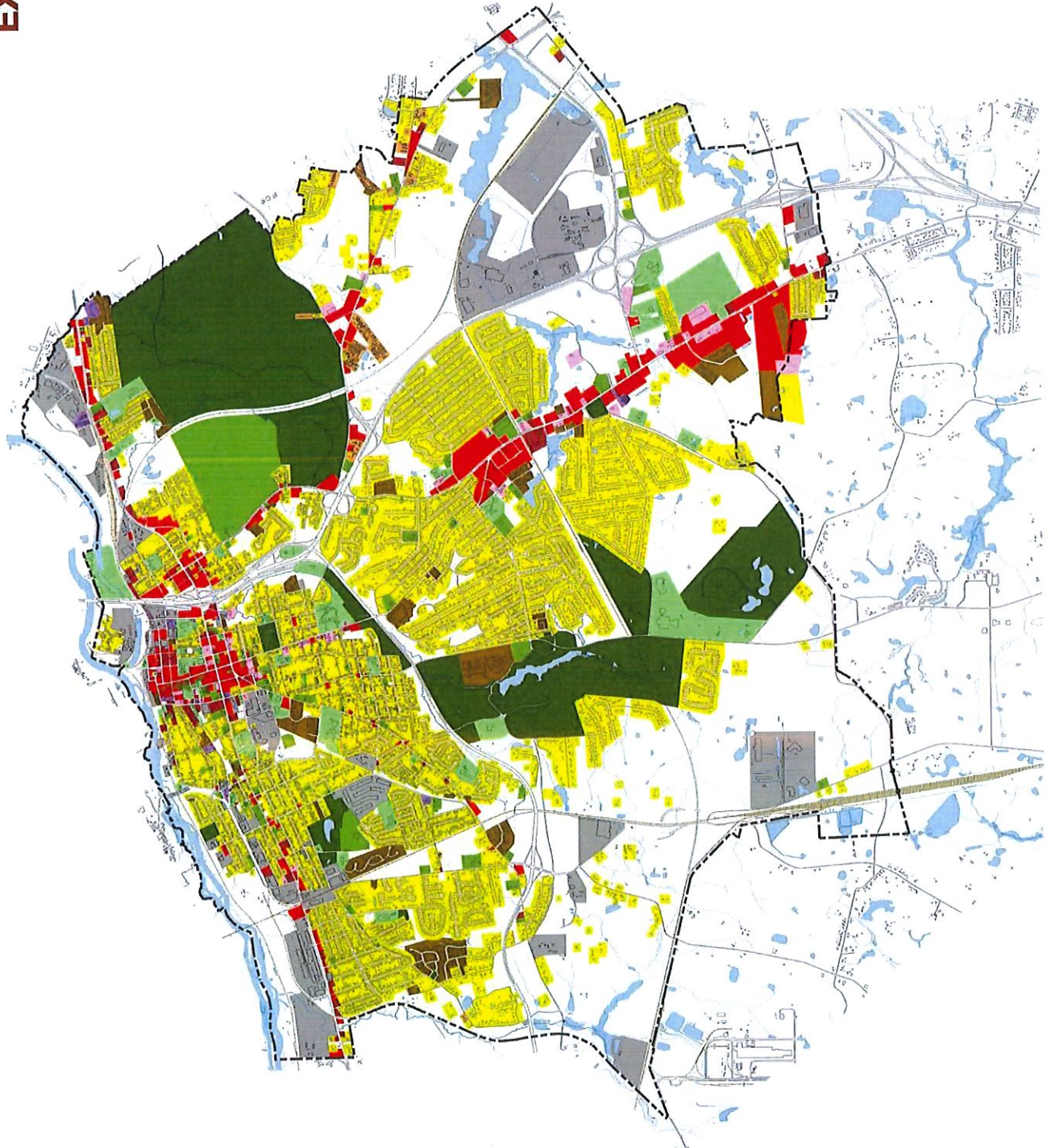
EXISTING LAND USE

COMPREHENSIVE PLAN
City of Petersburg, Virginia

- LEGEND**
- Land Use Classifications**
- Residential**
- SINGLE FAMILY
 - MOBILE HOME
 - MULTI-FAMILY
- Commercial**
- RETAIL & SERVICE
 - GENERAL COMMERCIAL
 - BUSINESS / PROFESSIONAL SERVICE
- Industrial**
- INDUSTRIAL
 - WAREHOUSING
- Public & Semi-Public**
- COMMUNITY FACILITIES
 - PLACES OF WORSHIP, CEMETERIES
 - LODGES
 - PARKS & RECREATION
- VACANT**



MAY 20, 2008
K.W. Poore and Associates, Inc.
Community Development Consultants





City of Petersburg

Department of Planning and
Community Development
804-733-2308

135 N. Union Street, Room 304
Petersburg, Virginia 23803
FAX 863-2772 TDD 733-8003

October 22, 2021

PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Dear Owner, Agent or Occupant of each parcel involved; abutting and immediately across the street or road from the property affected:

Notice is hereby given to all interested persons the City of Petersburg Planning Commission will hold a public hearing on Thursday, November 4, 2021, beginning at 6:00 p.m. in the Petersburg Public Library located at 201 W. Washington Street, Petersburg, Virginia 23803.

21-REZ-04: Request by PBFL, LLC represented by C. Burton Cutright, to rezone property located at 1220 Harrison Creek Blvd, 1225 Harrison Creek Blvd and 1255 Harrison Creek Blvd, future identified as TP# 040030805, TP# 040030806, and TP# 040030807, from PUD with B-2, General Commercial District with conditions to PUD, no restrictions. The proposed rezoning will allow the applicant to construct 52 single-family detached rental homes on 6.26+/- acres located along Harrison Creek Blvd between Route 460 and Acqua Luxury Apartments. This subject property is approximately 272,990.52 sq. ft. and has a public street frontage of approximately 261.06 feet.

All interested persons shall have the opportunity to be heard at said public hearing.

A copy of the related material may be examined in the Department of Planning & Community Development in City Hall Room 304, telephone (804)733-2308. The Planning Dept. is open from 8:30am to 5:00pm, Monday - Friday.

Reginald B. Tabor,
Director of Planning & Community Development



City of Petersburg

Development Impact Report

DATE:	October 27, 2021
ADDRESS:	1220, 1225 and 1255 Harrison Creek Blvd
PARCEL NUMBER:	040030805, 0040030806, and 0040030807
ZONING:	PUD w/B-2, General Commercial District conditions
ISSUE:	There is a need to assess the impact of proposed development
DESCRIPTION:	The City received a proposal to develop the subject properties for construction of 52 new single-family detached rental homes on 6.26+ acres located along Harrison Creek Blvd between Route 460 and 1200 Harrison Creek Blvd where lies Acqua Luxury Apartments. See Conceptual Plan Dated May 13, 2021, and Boundary & Topographic Survey.
STATUS:	Pending request to amend rezoning from PUD w/B-2, conditions to PUD no restrictions for single-family development.

DEPARTMENT IMPACT INFORMATION

GENERAL IMPACT

BENEFITS

Residents will have an opportunity to enjoy privacy, private and community green space along with a feeling of a traditional neighborhood. Residents will have access to amenities of the apartment complex such as fitness room and pool. The development will be small clusters of 1 and 2 story houses that are interconnected by sidewalks and separated by private and community green space.

REVENUE

COSTS

RECOMMENDATION

To approve the construction of the proposed 52 cottage-style single-family rental dwelling units: 17 units to be 1 bedroom/1 bathroom and 35, 2-bedroom/2 bath units per the request by the applicant and the approval of a site plan per City departmental guidelines and regulations.

ATTACHMENTS

Included



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Stacey Jordan

RE: A request to schedule a public hearing on the amended and appropriate FY22-23 All Funds Budget on October 18, 2022. (Page 60)

PURPOSE: To hold a public hearing and have City Council appropriate the amended FY22-23 All Funds Budget for Fiscal Year ending June 30, 2023 in the amount of \$109,240,640.

REASON: A Public Hearing will be held in accordance with Section 15.2-2606 of the Code of Virginia of 1950, as amended, on the amended budgets of the various funds, known as All Funds, in the amount of \$109,240,640. The amended All Funds Budget for the Fiscal Year commencing July 1, 2022 and ending June 30, 2023 requires approval and appropriation by City Council.

RECOMMENDATION: To hold a public hearing and have City Council appropriate the amended FY22-23 All Funds Budget for Fiscal Year ending June 30, 2023 in the amount of \$109,240,640.

BACKGROUND: City Council approved the FY22-23 All Funds Proposed Operating and Capital Budget on May 24, 2022. The Interim City Manager proposed Citywide raises for all employees in July. Transit received additional funding requiring an amendment to be presented before the public and council.

COST TO CITY: 109,240,640

BUDGETED ITEM: YES

REVENUE TO CITY: 109,240,640

CITY COUNCIL HEARING DATE: 10/18/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: ALL DEPARTMENTS

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS: None



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager
Tangela Innis, Deputy City Manager
Brian Moore, Director of Economic Development

FROM: Reginald Tabor

RE: **A public hearing and consideration of an ordinance approving the rezoning of the property located at 2655 Stedman Drive from Single-Family Residence District (R-1A) to Mixed Use District-3 (MXD-3). (Page 62)**

PURPOSE: To consider rezoning the property located at 2655 Stedman Drive, Parcel ID: 039020800, from R-1A - Single-Family Residence District to MXD-3 - Mixed Use District.

REASON: To comply with applicable laws and procedures for changing the zoning district of properties.

RECOMMENDATION: Staff recommends approval of the attached ordinance.

BACKGROUND: The City received a request from the Economic Development Authority to rezone the property from R-1A to MXD-3. The property located at 2655 Stedman Drive is deeded to the Economic Development Authority. The property is currently vacant and totals 21.94 acres.

Rezoning the property to MXD-3 will permit a mixture of uses focused on commercial and industrial uses. The rezoning will potentially make the property more marketable, as the permitted uses of the property will increase. Adjacent land uses are commercial and residential.

The Planning Commission adopted a resolution during the July 7, 2022 meeting to recommend approval of the proposed rezoning from R1A - Single Family Residence District to MXD-3 Mixed Use District.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue associated with improvements to the vacant property.

CITY COUNCIL HEARING DATE: 9/20/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Public Works, Finance, Economic Development, Planning and Community Development

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0906_2022CCAgendaItem2655StedmanDriveRezoning
2. 0906_2022OrdinanceRezoning2655StedmanDrive
3. 0707_2022ResolutionRezoning2655StedmanDrive
4. 0707_2022StaffReport2655StedmanDr



City of Petersburg City Council Agenda Item

Case No: 22-REZ-06
Public Hearing Date: September 6, 2022
Property Address: 2655 Stedman Drive
Agent: Petersburg Economic Development Authority

Request

Rezoning

Staff Recommendation

Approval.
(Planning Commission recommends Approval)

Summary of Proposal

This is a request to rezone the property located at 2655 Stedman Drive from Single-Family Residence District (R-1A) to Mixed Use District-3 (MXD-3). The purpose is to facilitate marketing the property and to encourage appropriate, compatible commercial and industrial uses.

Parcel ID

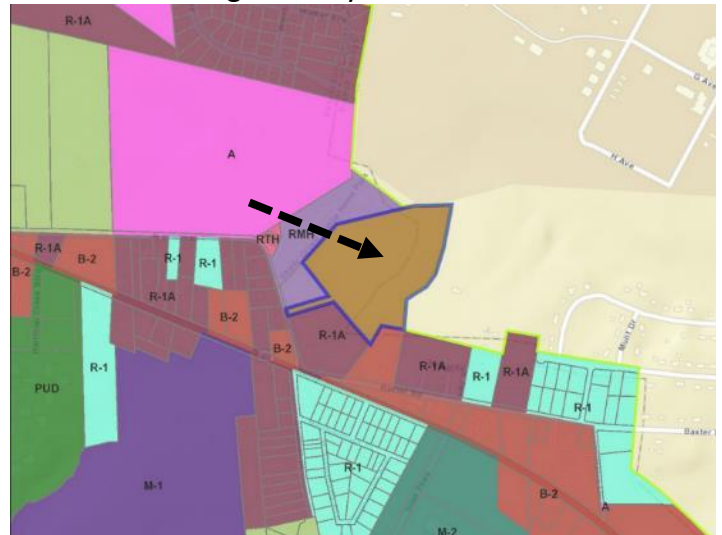
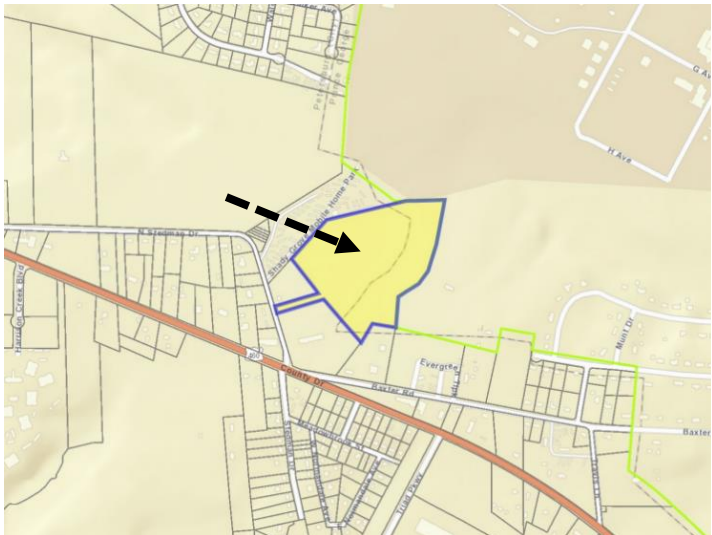
039020800

Acreage

21.939 Acres

Current Zoning Designation

R-1A Single-Family Residence District



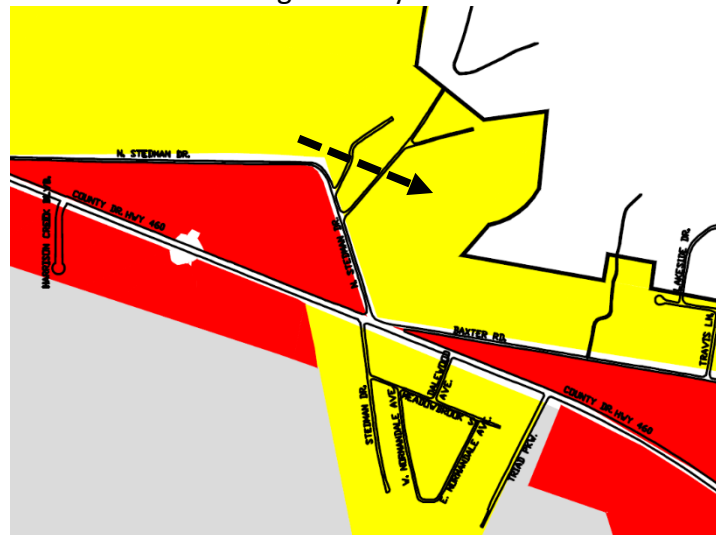
Photo

Adjacent Land Use: Commercial, Residential



Comprehensive Plan Designation

Future Land Use: Single Family Residential



**AN ORDINANCE APPROVING THE REZONING OF THE PROPERTY AT 2655
STEDMAN DRIVE, FROM SINGLE-FAMILY RESIDENCE DISTRICT (R-1A)
TO MIXED USE DISTRICT-3 (MXD-3).**

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

WHEREAS, the City received a petition from the City of Petersburg Industrial (Economic) Development Authority to rezone the property located at 2655 Stedman Drive, Petersburg, VA, PID: 039020800, from Single-Family Residence District (R-1A) to Mixed Use District-3 (MXD-3); and

WHEREAS, the subject property is approximately 21.939 acres; and

WHEREAS, the purpose is to facilitate marketing the property and to encourage appropriate, compatible commercial and industrial uses; and

WHEREAS, the City's Comprehensive Plan Future Land Use Plan designates the property as Low Density residential; 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 Amendments, and the public hearing was advertised, in accordance with applicable laws.

WHEREAS, on July 7, 2022, the Planning Commission adopted a resolution recommending approval of the rezoning of the property located at 2655 Stedman Drive, Petersburg, VA, PID: 039020800, from Single-Family Residence District (R-1A) to Mixed Use District-3 (MXD-3).

NOW THEREFORE BE IT RESOLVED that City Council of the City of Petersburg hereby approves the rezoning of the property in Petersburg VA, located at 2655 Stedman Drive, Petersburg, VA, PID: 039020800, from Single-Family Residence District (R-1A) to Mixed Use District-3 (MXD-3).

A RESOLUTION RECOMMENDING APPROVAL OF AN AMENDMENT TO THE ZONING DESIGNATION OF THE PROPERTY AT 2655 STEDMAN DRIVE, FROM SINGLE-FAMILY RESIDENCE DISTRICT (R-1A) TO MIXED USE DISTRICT-3 (MXD-3).

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

WHEREAS, the City received a petition from the City of Petersburg Industrial (Economic) Development Authority to rezone the property located at 2655 Stedman Drive, Petersburg, VA, PID: 039020800, from Single-Family Residence District (R-1A) to Mixed Use District-3 (MXD-3); and

WHEREAS, the subject property is approximately 21.939 acres; and

WHEREAS, the purpose is to facilitate marketing the property and to encourage appropriate, compatible commercial and industrial uses; and

WHEREAS, the City's Comprehensive Plan Future Land Use Plan designates the property as Low Density residential; 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 Amendments, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT RESOLVED that Planning Commission does hereby recommend approval of an amendment to the zoning designation of the property in Petersburg VA, located at 2655 Stedman Drive, Petersburg, VA, PID: 039020800, from Single-Family Residence District (R-1A) to Mixed Use District-3 (MXD-3).

Adopted unanimously by the Planning Commission on July 7, 2022



City of Petersburg

Department of Planning and
Community Development
804-733-2308

135 N. Union Street, Room 304
Petersburg, Virginia 23803
FAX 863-2772 TDD 733-8003

To: Chairwoman Tammy L. Alexander, and Members of the Planning Commission

From: Sandra A. Robinson, Zoning Administrator
Reginald Tabor, Director of Planning & Community Development

Date: July 1, 2022

Subject: 22-REZ-06
2655 Stedman Drive
Tax Parcel: 039020800

22-REZ-02: Request by the Industrial (Economic) Development Authority, owners, agent to rezone property from R-1A, Single-Family Residence District to MXD3, Mixed Use District, to assist the EDA in marketing the property and to encourage appropriate, compatible commercial and industrial activities for potential development which will not have a detrimental impact on adjacent neighboring properties. The subject property is addressed as 2655 Stedman Drive, Petersburg, VA. The property is further identified as Tax Parcel # 039020800 and contains approximately a total of 21.939 acres. The site is a vacant and a heavily wooded lot bound by Shady Grove Mobile Home Park to the North, Prince George County boundaries northeast, Second Chance Baptist Church and Adriana's Mini Market & Taqueria located at the corner of N Stedman Dr and County Drive (US 460). Evergreen Trailer Park and After Hours 4X4 Auto Shop to the south.

Summary of Zoning Ordinance Amendment Request

As the Planning Commission recalls, the Planning Staff under the direction of the City Council, has worked to identify a zoning designation appropriate for the purpose of attracting new business development endeavors within the City of Petersburg, Virginia. The new MXD-3 zoning district was created to enhance the ability of the city to address land-use needs of the city and to assist in marketing the available sites to potential developers.

The subject property at 2655 Stedman Drive is currently a wooded, vacant parcel of land. The parcel has remained vacant since Annexation into the City from Prince George County, Virginia. The goal of the City's rezoning of the subject property is to facilitate future development for the best potential use, but not conflict with adjacent uses and the existing character of the surrounding properties. The MXD-3 district permits a mixture of diverse land uses on large tracts of land or where previous uses on such tracts of land have been discontinued. The uses listed in this article would not adversely impact neighboring parcels. The subject site is an opportunity for positive development efforts to take place along this portion of Stedman Drive at the County Drive corridor, which could promote new jobs within the community. The zoning designation of the MXD-3, Mixed Use District states that parcels shall contain a minimum of ten (10) contiguous acres. The subject site is 21.939 acres.

(I) Any uses permitted in the "MXD-3, Mixed Use District, are intended to:

- a. Encourage appropriate commercial and industrial activity.
- b. Encourage compatibility of existing and future land uses.

Section 2. Use Regulations.

(a) Offices.

(b) Clinics.

(c) Colleges and schools, public or private, having a curriculum and conditions under which teaching is conducted equivalent to a public school and institutions of higher learning.

(d) Any use other than any residential use or any objectionable use as defined by Article 18, Section 3 of this Ordinance, but only as allowed by a special use permit.

I. Surrounding Conditions

The subject property is currently zoned R-1A, Single-Family Residence District and surrounding properties located along the North, East, West and South side of the subject property are zoned RMH, Residential Mobile Home (Shady Grove Mobile Home Park) annexed into the city and now a conforming use with variances granted by the BZA on November 9, 1989 and having a total of 52 lots; RTH, Residential Townhouse District, in which there are 6 townhome units; and A-Agricultural District to the North of N. Stedman Dr. Lastly, there are pockets of B-2, General Commercial designations at the corner of Stedman & County Drive and Baxter Road area. Current uses located within the area of the subject property include business and professional offices, auto repair shop, automobile sells, Mikes Burgers, insurance agencies, Churches, restaurants, ice cream parlors, barber & beauty salons, and nail salons to name a few.

II. Findings

- A. The 2014 Comprehensive Plan designates the subject property and surrounding area for Low Density Residential usage and property located along N Stedman Dr and County Dr (US Route 460) and along Baxter Rd for Commercial purposes.
- B. The property is currently designated as "R-1A", Single-Family Residential District which permits residential use, as a by-right use. The area has transitioned with the development of multifamily dwellings/apartments in the immediate area of the subject property.
- C. The uses mentioned under the newly proposed zoning district will encourage appropriate and compatible commercial and light industrial activities and remain in keeping with the existing and future land uses. If need be, conditions will be imposed on a potential developer by the City prior to the issuance of a building permit and as per the City's Development Review Team standards to protect the residents and neighboring communities/businesses. Screening will be required per Section 8 of the MXD-3 regulations.
- D. It is not believed that the proposed location will pose a burden to the existing neighborhood or property owners as the existing property owners and businesses have been operating in this capacity for more than 40 years.
- E. The noise of any potential business use permitted, is expected to be low, and no change in the current noise level is expected at the property boundaries.
- F. The City of Petersburg is proposing to use vacant property and make it marketable for suitable development which would provide tax dollars to the city, in addition, to cleaning up a

predominantly vacant parcel of land and will encourage other owners to reinvest in their properties and the community.

- G. As of the preparation of this report, our office had not received any public input or concerns about the request.
- H. There could possibly be benefits of tax credits should the property be included within the Urban Enterprise Zone. The Department of Economic Development Office maintains a listing of potential sites, and facilities for potential employers and developers looking to expand or relocate operations. They also manage the Enterprise Zones located within the city which allows the city to offer state and local incentives to industries which locate new operations to designated areas. The Industrial Development Authority (IDA) is part of the office. The UEZ boundaries includes the 460 corridor which was proposed to be revised/amended May 3, 2022.

III. Statement of Law

Zoning is a legislative process by which a local government classifies land within the community into areas and districts referred to as zones. Zoning regulates building and structure dimensions, design, placement, and use. Zoning generally follows the land use designations set forth in a comprehensive land use plan. (The Comprehensive Plan)

The City Council of the City of Petersburg, Virginia on 12-14-2021, approved and adopted an Ordinance amending the City's Zoning Ordinance to create and add a Mixed Use MXD-3 District.

IV. Recommendation

The Department of Planning & Community Development will withhold its recommendation until after the public hearing and the presentation by Staff.

V. Exhibits

- 1) Tax Parcel Map Extract
- 2) Zoning Map Extract
- 3) Tax Assessor File Record
- 4) Applicants Petition – None, City of Petersburg Planning Department
- 5) Comprehensive Plan & Enterprise Zone Maps



City of Petersburg

Development Impact Report

DATE:	June 30, 2022
ADDRESS:	2655 Stedman Dr
PARCEL NUMBER:	039020800.
ZONING:	R-1A, Single Family Residence District.
ISSUE:	<p>Petition by the Industrial (Economic) Development Authority, owners, agent to rezone property from R-1A, Single-Family Residence District to MXD3, Mixed Use District, to assist the EDA in marketing the property and encourage compatible commercial and industrial development activities which are not detrimental to adjacent neighboring properties.</p> <p>In considering the current market and development trends of the area the owner would like to request this rezoning be approved.</p>
DESCRIPTION:	Rezoning requested to permit Commercial and/or Industrial Development to the area, which will be compatible with neighboring properties and adequately buffered, if necessary.
STATUS:	Pending approval of the request to rezone of the above-referenced parcel.

DEPARTMENT IMPACT INFORMATION

GENERAL IMPACT	The Future Land Use Plan (Comprehensive Plan 2014) designates the subject area for Commercial/Single-Family Use. Single-Family Residential use on the north and east side; Commercial to the east, south and southwest side of County Drive (US 460 East).
BENEFITS	The potential development of the parcel will increase property value thereby increasing taxes paid to the City. The proposed rezoning of the property will benefit the city and the community by producing jobs to the City of Petersburg.

REVENUE

COSTS

RECOMMENDATION To be given after the public hearing.

ATTACHMENTS Included

Petersburg, Virginia

Parcel: 039020800

Summary

Owner Name	INDUSTRIAL DEVELOPMENT AUTHORITY	National Historic District:	
Owner Mailing Address	135 N UNION ST Petersburg, VA 23803	Enterprise Zone:	
Property Use	100	Opportunity Zone:	51730811200
State Class:	7 Exempt Local	VA Senate District:	16
Zoning:	R-1A	Va House District:	63
Property Address	2655 STEDMAN DR Petersburg, VA	Congressional District:	4
Legal Acreage:	21.93	City Ward:	1
Legal Description:	21.939 ACRES	Polling Place:	Blandford Academy
Subdivision:		Primary Service Area:	
Assessment Neighborhood Name:		Census Tract:	8112
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:	0%

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	12/5/2007	\$203,000	2007/6560

Assessments

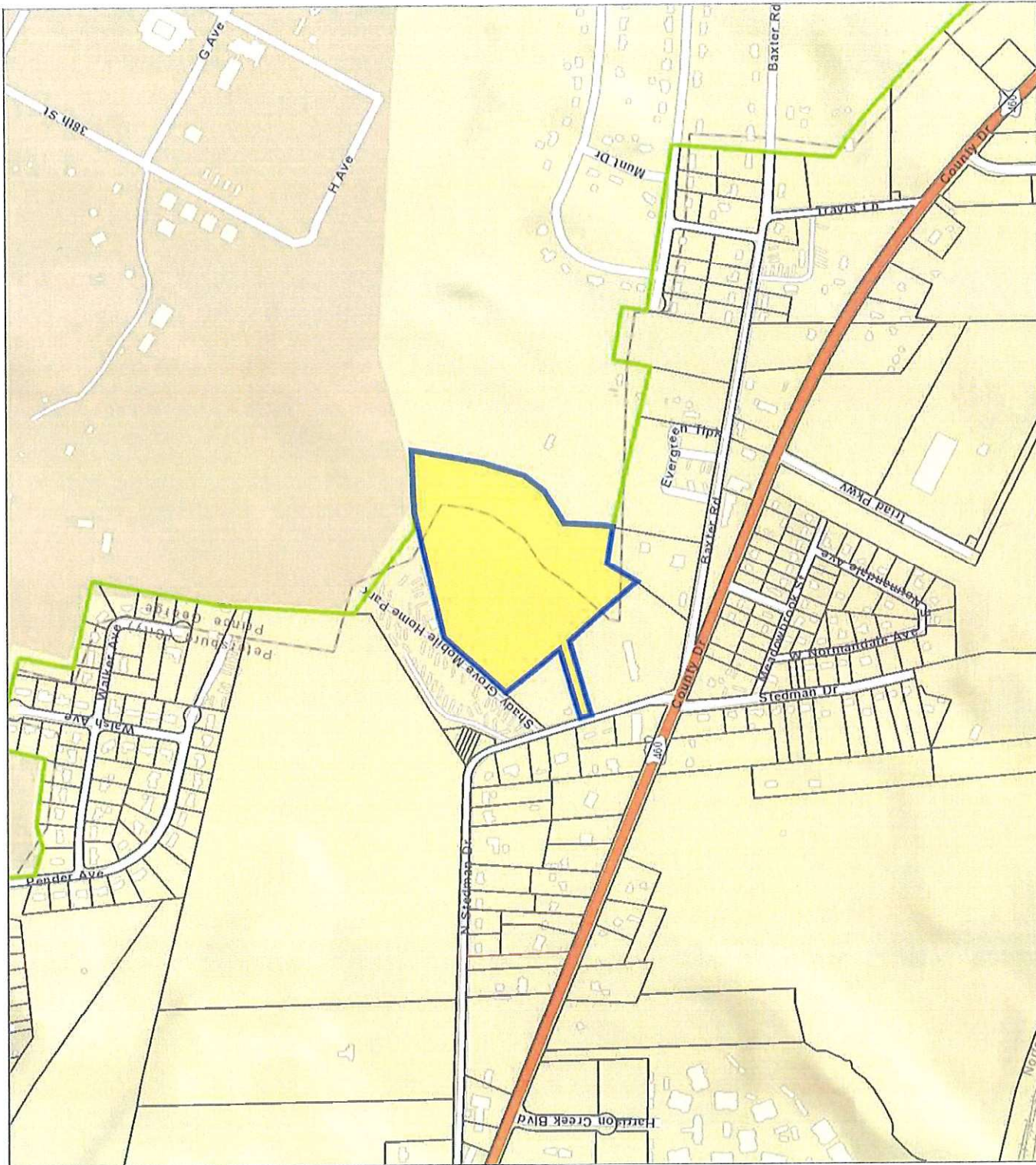
Valuation as of	01/01/2018	01/01/2019	01/01/2020	01/01/2021	01/01/2022
Effective for Billing:	07/01/2018	07/01/2019	07/01/2020	07/01/2021	07/01/2022
Reassessment					
Land Value	\$191,800	\$191,800	\$191,800	\$191,800	\$263,200
Improvement Value	\$	\$	\$	\$	\$
Total Value	\$191,800	\$191,800	\$191,800	\$191,800	\$263,200

Property Tax (Coming Soon)

Petersburg, Virginia

Legend

- County Boundaries
- Parcels



Parcel #: 039020800




Date: 7/1/2022

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.

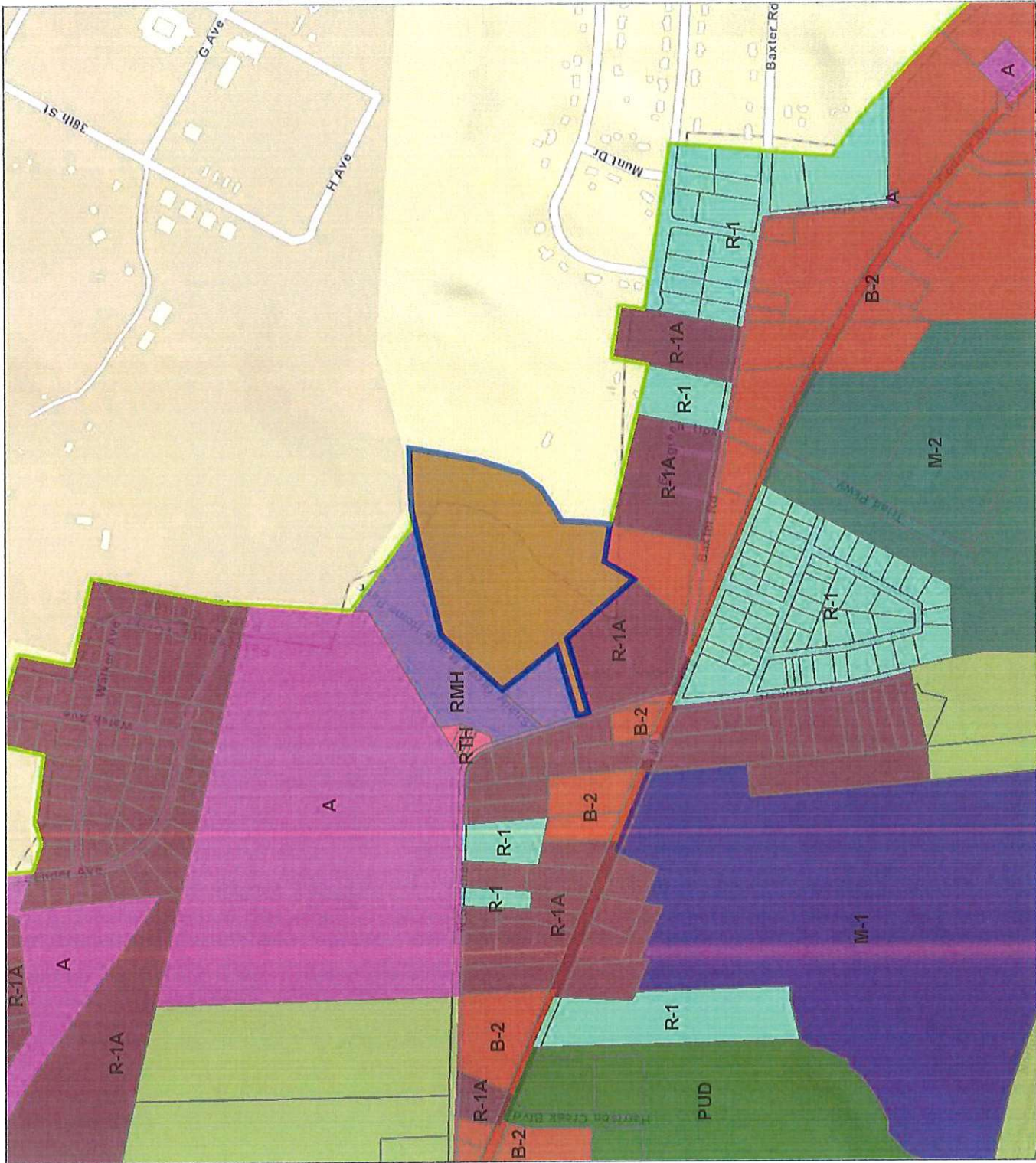
Feet
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Petersburg, Virginia

Legend

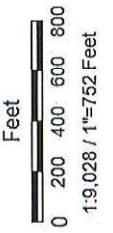
-  County Boundaries
-  Parcels
-  Zoning

- | | | | |
|---|------|---|-----|
|  | A |  | RB |
|  | B-1 |  | RMH |
|  | B-2 |  | RTH |
|  | B-3 | | |
|  | M-1 | | |
|  | M-2 | | |
|  | MXD1 | | |
|  | MXD2 | | |
|  | PUD | | |
|  | R-1 | | |
|  | R-1A | | |
|  | R-2 | | |
|  | R-3 | | |
|  | R-4 | | |
|  | R-5 | | |
|  | R-6 | | |



Parcel #: 039020800

Date: 7/1/2022



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City of Petersburg

Department of Planning and Community Development

PROCEDURES FOR PETITION FOR REZONINGS OR SPECIAL USE PERMITS

1. Applicant files petition with the Petersburg Department of Planning and Community Development, City Hall, 135 N Union Street, Petersburg, Virginia 23803.
2. **The Filing fee for Petitions for Rezoning or Special Use Permits is \$1,500.** A Check or Money Order *made payable to the City of Petersburg* is to accompany the application.
3. A Plat of the property must also accompany the petition.
4. The Department of Planning and Community Development Staff will refer the petition to the Planning Commission to hold a public hearing and consideration the petition. Department of Planning and Community Development staff shall advertise the public hearing twice during a fourteen-day period, and the Planning Commission will hold a public hearing, and make a recommendation to the City Council regarding the petition.
5. The City Council schedules then advertises a public hearing regarding the petition.
6. The City Council holds a public hearing then considers the petition with the Planning Commission recommendation and renders a final decision to approve or disapprove the petition.

PLEASE NOTE: The rezoning or special use permit process may take up to three months.

PETITION FOR REZONING OR SPECIAL USE PERMIT

RETURN TO: DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT
(CITY HALL, THIRD FLOOR, ROOM 304)
FILING FEE: \$1,500 (CHECK OR MONEY ORDER) AT THE TIME OF SUBMITTAL

CASE NUMBER: 22-REZ-06

APPLICANT: Economic Development Authority

ADDRESS: 135 North Union Street Petersburg, VA

I, Economic Development Authority hereby petition to rezone the following described properties
from zoning district R-1A to zoning district MXD-3

A. DESCRIPTION OF PROPOSED USE: (ATTACH ADDITIONAL DOCUMENTS IF NECESSARY)

The Economic Development Authority wishes to attract a business that will facilitate future development for the highest and best use, but not conflict with the adjacent uses and the existing character of the surrounding properties. The rezoning will encourage appropriate and compatible commercial and industrial activities and remain in keeping with the existing and future land use.

B. PROPERTY INFORMATION

1. Tax Parcel Identification Number(s):

039020800

2. Current Street Address(es) if assigned:

2655 Stedman Drive Petersburg VA

3. Approximate Area:

sq. ft.

21.939

acres

4. Public Street Frontage:

ft.

5. A boundary plat of this property outlining the area to be rezoned must be attached to this petition.

6. The following deed restrictions may affect the use of this property:

N/A

7. Brief:

Said deed restrictions will expire on: _____

C. JUSTIFICATION FOR REZONING

1. The proposed change in zoning is necessary for the preservation and enjoyment of a substantial property right because: (Provide a detailed statement of reasons why the proposed rezoning should be granted).

The rezoning will encourage appropriate and compatible commercial and industrial activities and remain in keeping with the existing and future land use.

2. The material impact of the proposed rezoning will not be detrimental to the public welfare of the City nor to adjacent property owner(s) or properties located within the nearby vicinity because: (Specify reasons to substantiate this statement).

The rezoning will assist the EDA in marketing the property for compatible commercial and industrial activities that will not be detrimental to the public welfare or adjacent properties owners. The EDA will vet each application from businesses to ensure their compliance with this.


3. The proposed rezoning will be advantageous to the City and benefit the welfare of the general public because: (Specify reasons to substantiate this statement).

The rezoning will allow the site to be marketable to companies that wish to locate in the City and in turn will contribute to the economic growth of the City and tax base.

4. The proposed rezoning is necessary because suitable property for the proposed use is not presently situated within required existing zoning districts. (Specify reasons for this determination).

The undersigned applicant certifies that they:

_____ (b) possess a proprietary interest in (contract or option agreement)

Signed: 
135 North Union Street Petersburg, VA 23803

Mailing Address: _____

Phone Number: 804-931-9483

Email Address: Rhue2@verizon.net

APPROVED

City Attorney

TO BE FILED IN THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION RECORD

Date Filed (with Planning Department): _____

Date of Planning Commission Public Hearing: _____

Planning Commission Action(s):

Date of City Council Hearing:

City Council Action(s):

PETITION FOR ZONING CHANGE

Property Owner(s): Adjacent to Affected Property

NAME(S)

Address(es)

For additional names, use back of sheet

REZONING CASE: CITY OF PETERSBURG ADJACENT PROPERTY OWNERS – 2655 STEDMAN DRIVE

INDUSTRIAL ECONOMIC DEVELOPMENT AUTHORITY

TP# 039020800

*TP# 039020801 -- 2701 COUNTY DRIVE; R-1A, Single-Family Residence District – Church property

Second Chance Baptist Church c/o David Prather

13800 Rock Haven Ct

Chester, VA 23836

*TP# 039020808 – 1355 Baxter Road; B-2, General Commercial District (Auto Repair)

David Wayne Togger

1375 Baxter Road #21

Petersburg, VA. 23803

*TP# 038010011 – 1375 Baxter Rd; R-1A; Grandfathered Mobile Home Park annexed into the City from Prince George County. Evergreen Trailer Park and 1421 Baxter Rd (TP# 038010010; R-1) Paula Marie Togger Kroener; 1435 Baxter Rd (R-1A, Single-Family Residence) TP# 038010009

Paula T. Kroener

1421 Baxter Rd

Petersburg, Virginia 23803

*TP# 039020003 – 2651 Stedman Drive; Residential Mobile Home Park (2 acres)

William I. Bandas c/o Christopher Cantara CPA

2530 Gaskins Rd Ste A

Henrico, VA 23238

*TP# 039020002-2619 Stedman Drive; Grandfathered – Clayton Shady Grove Mobile Home Park; RMH
8.02 acres

Clayton-Shady Grove Mobile Home Estates LLC

4215 Bailey's Ridge Blvd

Prince George, Virginia 23875

*TP# 036090001 – 2557 Stedman Drive; A, Agricultural District – Vacant land; 62.5 acres

PB Petersburg Owner, LLC

24851 Quimby Oaks Pl

Aldie, VA 20105

*TP# 039010019 – 2645 County Drive; B-2, General Commercial – Strip Center (Restaurant/Grocer)

CS 2645 LLC

4607 Webb Tree Terr

Chester, VA. 23831

** PRINCE GEORGE COUNTY DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

PO BOX 68 - 6602 Courts Drive

Prince George, VA 23875



City of Petersburg

Department of Planning and
Community Development
804-733-2308

135 N. Union Street, Room 304
Petersburg, Virginia 23803
srobinson@petersburg-va.org

June 23, 2022

PLANNING COMMISSION NOTICE OF PUBLIC HEARING

Dear owner, Agent or Occupant of each parcel involved; abutting and immediately across the street or road from the property affected:

Notice is hereby given to all interested persons the City of Petersburg Planning Commission will hold public hearings on Thursday, July 7, 2022, beginning at 6:30 p.m. in the Petersburg Public Library located at 201 W. Washington Street, Petersburg, Virginia 23803.

22-REZ-06: A petition from the Industrial (Economic) Development Authority, owners, agent to rezone property from R-1A, Single-Family Residence District to MXD3, Mixed Use District-3, to assist the EDA in marketing the property and to encourage appropriate, compatible commercial and industrial activities for potential development which will not have a detrimental impact on adjacent neighboring properties. The subject property is addressed as 2655 Stedman Drive, Petersburg, VA. The property is further identified as Tax Parcel # 039020800, containing approximately a total of 21.939 acres.

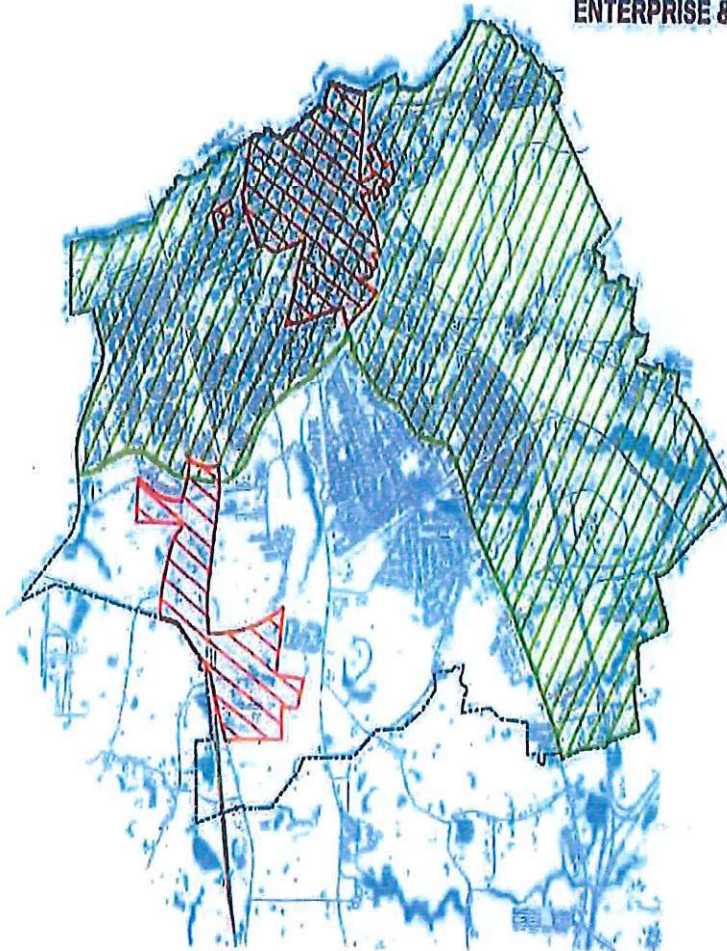
All interested persons shall have the opportunity to be heard at said public hearing or may call or email the Department of Planning at: pcd@petersburg-va.org

A copy of the related material may be examined in the Department of Planning & Community Development in City Hall Room 304, telephone (804)733-2308. The Planning Dept. is open from 8:30am to 5:00pm, Monday - Friday.

Reginald Tabor,
Director Department of Planning & Community Development



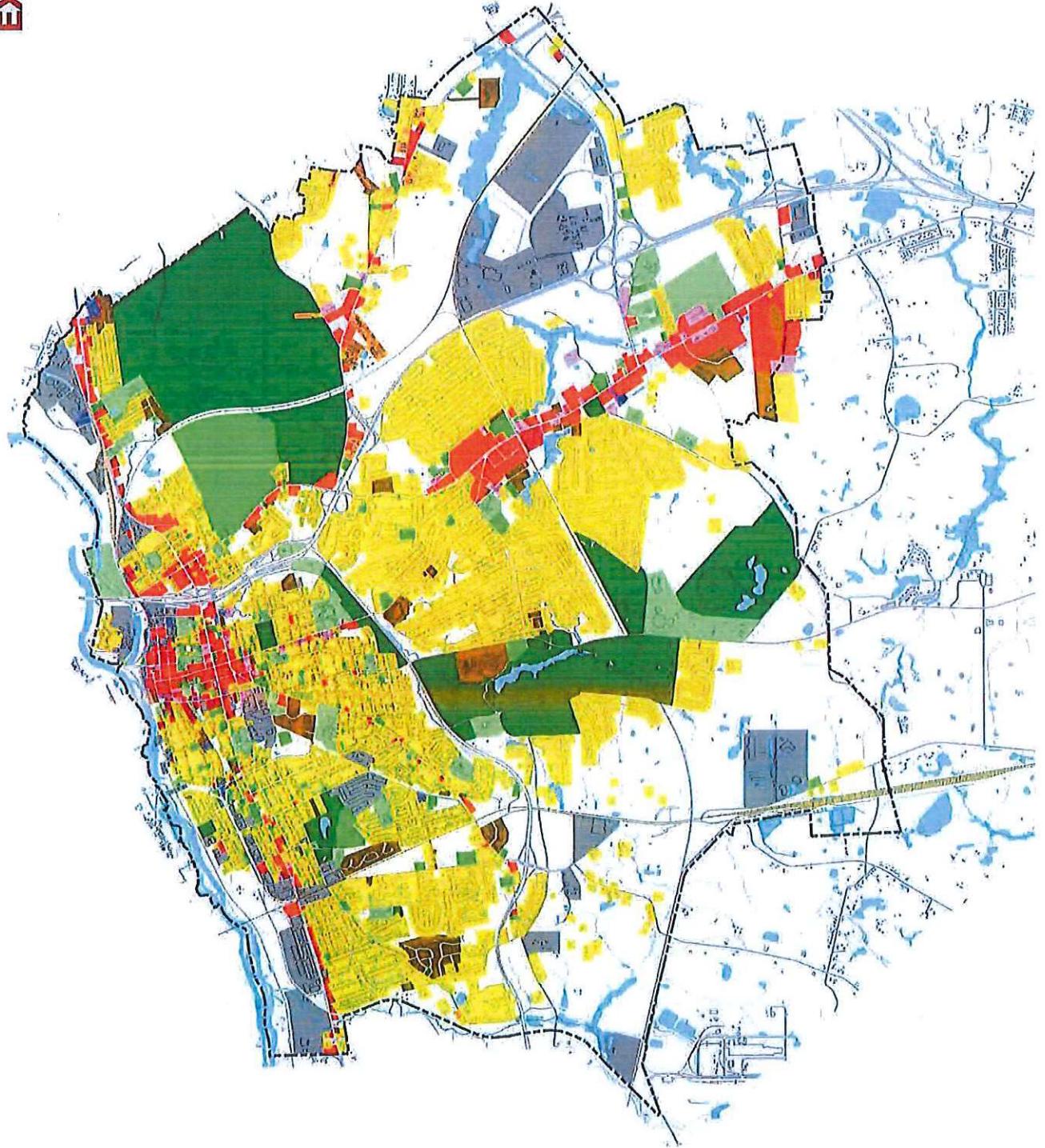
ENTERPRISE & TAX CREDIT ZONES COMPREHENSIVE PLAN City of Petersburg, Virginia



LEGEND
BORDER OF CITY OF PETERSBURG CORPORATE LIMITS
NEW MARKET TAX CREDIT ZONE
ENTERPRISE ZONE



EXISTING LAND USE COMPREHENSIVE PLAN City of Petersburg, Virginia



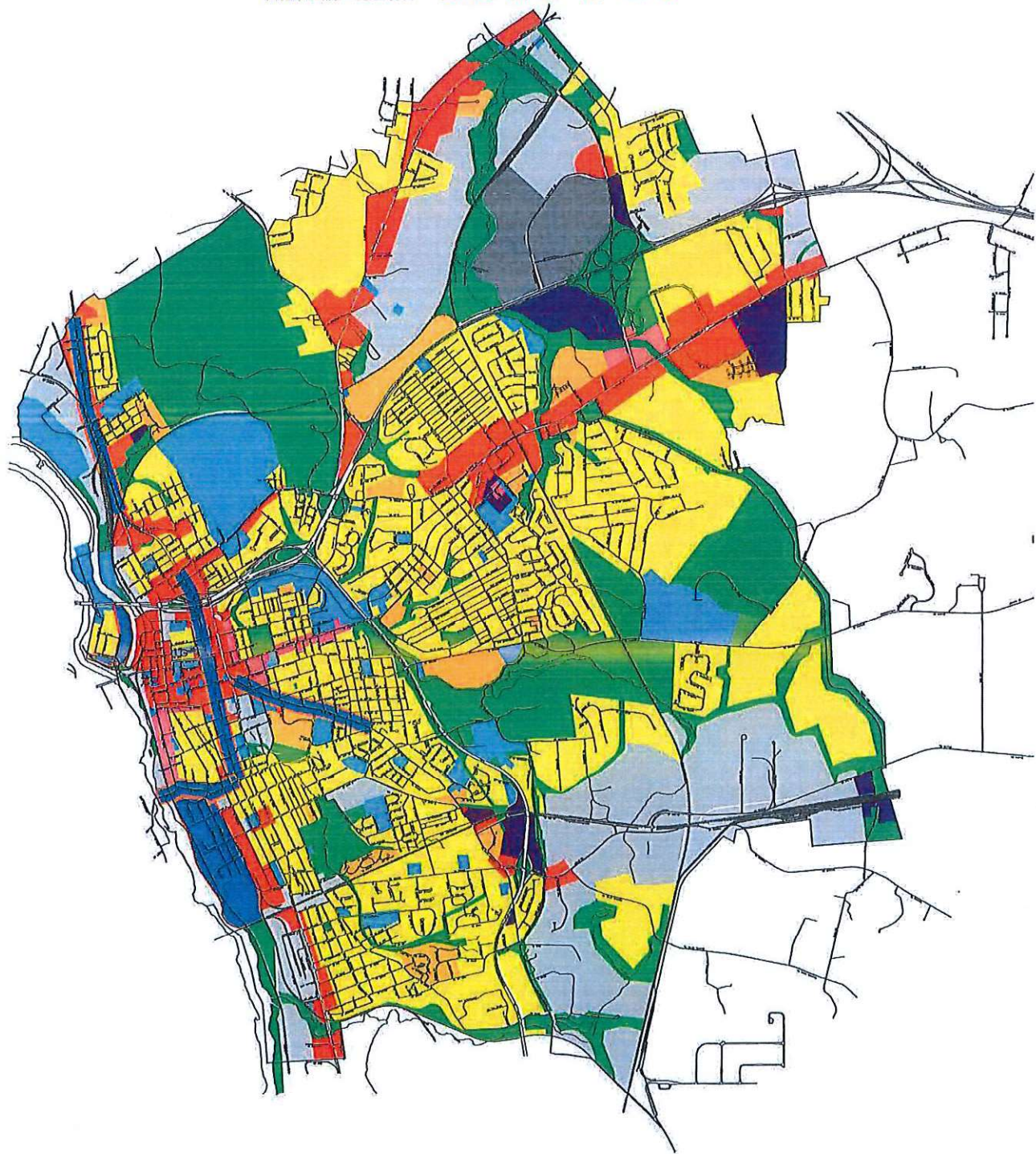
LEGEND

Land Use Classifications

 SINGLE FAMILY	 MOBILE HOME	 MULT-FAMILY
Commercial		
 RETAIL & SERVICE	 GENERAL COMMERCIAL	 BUSINESS / PROFESSIONAL SERVICE
Industrial		
 INDUSTRIAL	 WAREHOUSING	
Public & Semi-Public		
 COMMUNITY FACILITIES	 PLACES OF WORSHIP, CEMETERIES	 LODGES
 PARKS & RECREATION	 VACANT	



MAY 20, 2008
K.W. Poore and Associates, Inc.
Community Development Consultants



LEGEND

LOW DENSITY RESIDENTIAL
MEDIUM / HIGH DENSITY RESIDENTIAL
MIXED COMMERCIAL / PROFESSIONAL
COMMERCIAL
LIGHT INDUSTRIAL/FLEXIBLE
HEAVY INDUSTRIAL
INSTITUTIONAL

PUBLIC USES

PARKS & OPEN SPACE
MIXED USE (OFFICE, INSTITUTIONAL,
COMMERCIAL, RESIDENTIAL)

RTE. 36 (E. WASHINGTON STREET) DEVELOPMENT CORRIDOR
EAST CITY LIMITS to E. BANK STREET

WASHINGTON STREET DEVELOPMENT CORRIDOR

CRATER ROAD to ADAMS STREET

WASHINGTON STREET DEVELOPMENT CORRIDOR

ADAMS STREET TO SOUTH STREET

HALIFAX STREET DEVELOPMENT CORRIDOR

W. WYTHE STREET to VIRGINIA AVENUE

UNIVERSITY BOULEVARD / N. SOUTH STREET

DEVELOPMENT CORRIDOR

W. WASHINGTON STREET to APPOMATTOX RIVER

POCAHONTAS ISLAND

DEVELOPMENT DISTRICT

BATTERSEA

DEVELOPMENT DISTRICT

FUTURE LAND USE PLAN

CITY OF PETERSBURG, VIRGINIA
COMPREHENSIVE PLAN 2014



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager
Tangela Innis, Deputy City Manager
Brian Moore, Director of Economic Development

FROM: Reginald Tabor

RE: **A public hearing and consideration of an ordinance approving the rezoning of the properties located at 513 Old Wagner Road, and 525 Old Wagner Road, from A - Agricultural District to R-1A - Single-Family Residence District. (Page 88)**

PURPOSE: To consider rezoning the properties located at 513 Old Wagner Road, Parcel ID: 083010003, and 525 Old Wagner Road, Parcel ID: 083010004, from A - Agricultural District to R-1A - Single-Family Residence District.

REASON: To comply with applicable laws and procedures for changing the zoning district of properties.

RECOMMENDATION: Staff recommends approval of the attached ordinance.

BACKGROUND: The City received inquiries regarding the vacant property located at 525 Old Wagner Road. The Zoning Administrator identified the zoning of the property and discovered that the property dimensions do not meet the minimum requirements for the zoning designation. The property is currently zoned A - Agricultural District, and the minimum acreage is 8 acres, however the property is 1.55 acres. Also, the adjacent property located at 513 Old Wagner Road is zoned A - Agricultural District, and the property is .87 acres.

Rezoning the properties to R-1A - Single Family Residence District will bring them into compliance with the City's Zoning Ordinance and permit the property owners to use the properties for a single family residential use. Adjacent land uses are commercial and residential.

The Planning Commission adopted a resolution during the July 7, 2022 meeting to recommend approval of the proposed rezoning from A - Agricultural District to R1A - Single Family Residence District.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue associated with improvements to the vacant property.

CITY COUNCIL HEARING DATE: 9/20/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Public Works, Finance, Economic Development, Planning and Community Development

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0906_2022CCAgendaItem513_525OldWagnerRezoning
2. 0906_2022OrdinanceRezoning513_525OldWagnerRd
3. 0707_2022ResolutionRezoning513_525OldWagnerRd
4. 0707_2022StaffReport513_525OldWagnerRd



City of Petersburg City Council Agenda Item

Case No: 22-REZ-03
Public Hearing Date: September 6, 2022
Property Address: 513 and 525 Old Wagner
Agent: Department of Economic Development, Planning and Community Development

Request

Rezoning

Staff Recommendation

Approval.
 (Planning Commission recommends Approval)

Summary of Proposal

This is a request to rezone the property located at 513 and 525 Old Wagner from Agricultural District (A) to Single-Family Residence District (R-1A). Current zoning does not meet minimum requirement for A-District of 8 acres. The proposed zoning will be consistent with the Comp. Plan and the zoning of adjacent parcels.

Parcel ID	Acreage	Current Zoning Designation
083010003, 083010004	.870, 1.55 Acres	A Agricultural District



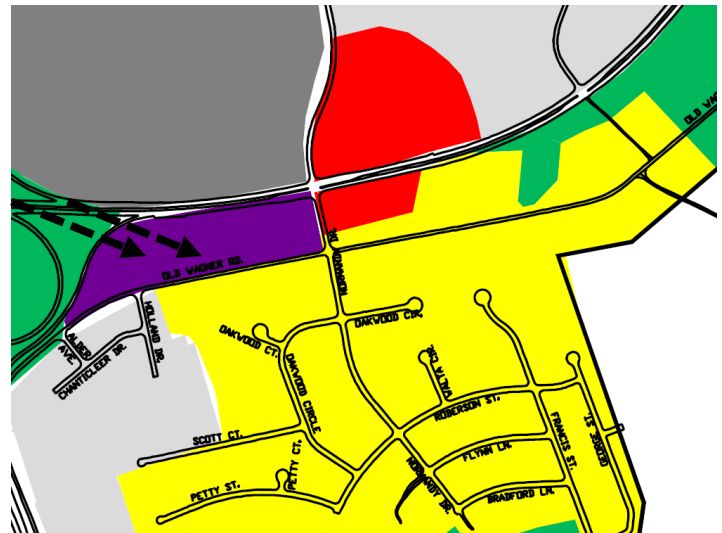
Photo

Adjacent Land Use: Commercial, Residential



Comprehensive Plan Designation

Future Land Use: Mixed Use



**AN ORDINANCE APPROVING THE REZONING OF THE PROPERTY AT 513
AND 525 OLD WAGNER ROAD FROM A TO R-1A**

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

WHEREAS, the property located at 513 Old Wagner Road, Tax Parcel ID (PID): 083010003 and 525 Old Wagner Road, PID: 083010004, is currently zoned Agricultural District (A); and

WHEREAS, the subject properties are .870 acres, and 1.55 acres with a public street frontage of approximately 196.9 feet and 225.00 feet respectively; and

WHEREAS, the parcels do not meet the minimum dimensions for the current zoning district A, which requires a minimum contiguous area of eight (8) acres, all of which is zoned as agricultural; and

WHEREAS, the City's Comprehensive Plan Future Land Use Plan designates the property as Mixed Use that includes residential; and

WHEREAS, this is a request to rezone the properties in Petersburg VA, located at 513 Old Wagner Road, Tax Parcel ID (PID): 083010003 and 525 Old Wagner Road, PID: 083010004, from Agricultural District (A) to Single-Family Residence District (R-1A) and make them compliant with the City's Zoning Ordinance; 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 Amendments, and the public hearing was advertised, in accordance with applicable laws; and

WHEREAS, on July 7, 2022, the Planning Commission adopted a resolution to recommend approval of an amendment to the zoning designation of the properties in Petersburg VA, located at 513 Old Wagner Road, Tax Parcel ID (PID): 083010003 and 525 Old Wagner Road, PID: 083010004, from Agricultural District (A) to Single-Family Residence District (R-1A) and make them compliant with the City's Zoning Ordinance.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Petersburg hereby approves the rezoning of the properties in Petersburg VA, located at 513 Old Wagner Road, Tax Parcel ID (PID): 083010003 and 525 Old Wagner Road, PID: 083010004, from Agricultural District (A) to Single-Family Residence District (R-1A) and make them compliant with the City's Zoning Ordinance.

A RESOLUTION RECOMMENDING APPROVAL OF AN AMENDMENT TO THE ZONING DESIGNATION OF THE PROPERTY AT 513 AND 525 OLD WAGNER ROAD FROM A TO R-1A.

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

WHEREAS, the property located at 513 Old Wagner Road, Tax Parcel ID (PID): 083010003 and 525 Old Wagner Road, PID: 083010004, is currently zoned Agricultural District (A); and

WHEREAS, the subject properties are .870 acres, and 1.55 acres with a public street frontage of approximately 196.9 feet and 225.00 feet respectively; and

WHEREAS, the parcels do not meet the minimum dimensions for the current zoning district A, which requires a minimum contiguous area of eight (8) acres, all of which is zoned as agricultural; and

WHEREAS, the City's Comprehensive Plan Future Land Use Plan designates the property as Mixed Use that includes residential; and

WHEREAS, this is a request to rezone the properties in Petersburg VA, located at 513 Old Wagner Road, Tax Parcel ID (PID): 083010003 and 525 Old Wagner Road, PID: 083010004, from Agricultural District (A) to Single-Family Residence District (R-1A) and make them compliant with the City's Zoning Ordinance; 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 Amendments, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT RESOLVED that Planning Commission does hereby recommend approval of an amendment to the zoning designation of the properties in Petersburg VA, located at 513 Old Wagner Road, Tax Parcel ID (PID): 083010003 and 525 Old Wagner Road, PID: 083010004, from Agricultural District (A) to Single-Family Residence District (R-1A) and make them compliant with the City's Zoning Ordinance.

Adopted unanimously by the Planning Commission on July 7, 2022



City of Petersburg

Department of Planning and
Community Development
804-733-2308

135 N. Union Street, Room 304
Petersburg, Virginia 23803
srobinson@petersburg-va.org

Memorandum

To: Chairwoman Tammy L. Alexander, and Members of the Planning Commission

From: Reginald Tabor, Director of Planning & Community Development
Sandra A. Robinson, Zoning Administrator

Date: July 7, 2022

Subject: Case REZ-2022-03
513 and 525 Old Wagner Road
Tax Parcels: See Below

22-REZ-03: Request by City of Petersburg to rezone properties located along Old Wagner Road, addressed as 513 Old Wagner Road and 525 Old Wagner Road, TP# 083010003; and TP# 083010004; from A, Agricultural District to R-1A, Single-Family Residence District. The subject properties are 0.870 acres and approximately 67,082.4 sq. ft. and has a public street frontage of approximately 196.9 feet and 225 feet respectively. The subject parcels do not meet the minimum for the zoning district. The proposed zoning will be consistent with the zoning of adjacent parcels.

I. Summary of Case

Planning Staff received several inquiries regarding 525 Old Wagner Road, which is a vacant, wooded parcel of land which was marketed for sell by the property owner via his realtor. The Zoning Administrator, advised the agent and owner, pursuant to Article 4-A, "A" Agricultural District Regulations and Article 22, Height Area and Bulk Requirements, the subject parcel failed to meet the zoning requirements of the agricultural district regulations stipulates that the minimum lot area per dwelling unit shall be within a minimum contiguous area of eight (8) acres, all which is zoned as agricultural. The subject parcels do not meet the criteria; therefore, staff is unable to approve any building permits to allow for the construction of a single-family dwelling.

The subject parcels were annexed into the City of Petersburg, Virginia and per Article 29, Newly Annexed Territory Section 1, of the Zoning Ordinance states the following:

Automatic temporary zoning.

All territory hereafter annexed to the City of Petersburg, Virginia, shall be automatically classified as "R-1A" Single-Family Residence District, until such territory is permanently zoned by the city council of the City of Petersburg. The city council shall, as soon as practicable after annexation, undertake to establish permanent zoning of the said territory, in accordance with the provisions of this ordinance. The subject property should have been designated as R-1A, Single-Family Residence District at that time or perhaps considered at the time which Berkley Estates request for rezoning was considered.

Staff (Zoning Administrator) advised the Director of Planning & Community Development of the situation and sought out possible remedies for the property owners. As it stood the current ordinance would not allow any construction activity and the property would remain vacant and unbuildable, thereby preventing the owners from utilizing a substantial right of their property and burdening them financially. The property owner has been very disappointed because he had been advised by previous administration that the property could be utilized for residential purposes and all he would need to do is basically pay for the installation of public utilities (water and sewer) services. It was his understanding that he could sell the property and build a home on the property. The applicant requested that the city consider proceeding with an application to rezone the area because the property in its present state is unusable land unless it is rezoned for residential purposes.

The property addressed as 513 Old Wager Road was built as a residence in 1962, prior to zoning regulations in the City of Petersburg, Virginia. The adjacent property addressed as 525 Old Wagner Road is vacant and has a lot of interest from potential purchasers who hope that the City will resolve this matter in favor of those persons left out of the R-1A zoning classification.

II. Surrounding Conditions

The subject property is zoned A, Agricultural District and all properties located along the north side between Wagner Road and Old Wagner Road to include the west side of the subject parcels are zoned R-1, Single-Family Residence and R-1A, Single Family Residence District. Properties located along the south side of Old Wagner Road are also zoned R-1 and R-1A, Single-Family Residence District (Berkley Estates Subdivision) and Berkley Manor is zoned R-1, Single-Family Residence District. See attached Zoning Map.

III. Findings

- A. The 2014 Comprehensive Plan designates the subject property for Single-Family Residential and Places of worship.
- B. The property is currently zoned under "A", Agricultural district classification and as required under Article 4, Section 9. Special Requirements. (2) Any area* to be classified as agricultural shall contain a minimum contiguous acreage of eight (8) acres and Article 22, Height, Area, and Bulk Requirements prohibits, residential uses on parcels within the Agricultural district on less than eight (8) acres of land.
- C. The proposed use is currently in keeping with adjacent properties, benefiting neighboring property owners and the community. There has been several rezoning's over the past 10 years of properties having been changed from A to R-1 or an R-1A, classification to permit single-family development and construction activities namely within the Berkley Estates Subdivision directly across the street.
- D. It is not believed that the proposed location will pose a burden to the existing neighborhood or property owners as the existing properties were built and used for residential purposes since the 1960's.
- E. As of the preparation of this report, our office had not received any public input or concerns about the request.

Recommendation

The Department of Planning & Community Development recommends approval of this request.

IV. Exhibits

- 1) Tax Parcel Map Extract
- 2) Zoning Map Extract
- 3) Tax Assessor File Record
- 4) Applicants Petition – None, City of Petersburg Planning Department
- 5) Comments



City of Petersburg

Development Impact Report

DATE:	June 26, 2022
ADDRESS:	513 and 525 Old Wagner Road
PARCEL NUMBER:	083010003, and 083010004
ZONING:	Agricultural District
ISSUE:	The parcels do not meet the minimum dimensions/criteria for the current zoning district which is Agricultural and requires a minimum contiguous area of eight (8) acres. The proposed zoning will be consistent with the zoning of adjacent parcels.
DESCRIPTION:	Rezone parcels from A-Agricultural District to R-1A, Single-Family Residence District.
STATUS:	Pending request to rezone parcels.

DEPARTMENT IMPACT INFORMATION

GENERAL IMPACT	The Future Land Use Plan (Comprehensive Plan 2014) designates the area for Mixed Use (Office, Institutional, Commercial and Residential) on the northwest side of Old Wagner Road and Single-Family Residential use on the south side of Old Wagner Road.
BENEFITS	Rezoning of the parcels will permit property owners to build single-family dwellings on the property and in compliance with the R-1A, Single-Family Residence zoning districts regulation and requirements. The potential development of the parcels will increase property value thereby increasing taxes paid to the City. The proposed zoning will be consistent with the zoning of adjacent parcels.
REVENUE	
COSTS	

RECOMMENDATION	To approve the request to rezone from Agricultural to R-1A, Single-Family Residence District.
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ATTACHMENTS	Included
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Petersburg, Virginia

Parcel: 083010003

Summary

Owner Name	HARRIS JAMES W YATES POLLY	National Historic District:	
Owner Mailing Address	513 OLD WAGNER RD PETERSBURG, VA 23803	Enterprise Zone:	
Property Use	151	Opportunity Zone:	51730811200
State Class:	1 Single Family Urban	VA Senate District:	16
Zoning:		Va House District:	63
Property Address	513 OLD WAGNER RD Petersburg, VA	Congressional District:	4
Legal Acreage:	.87	City Ward:	2
Legal Description:	0.870 ACRES	Polling Place:	Good Shepherd Baptist Church
Subdivision:		Primary Service Area:	
Assessment Neighborhood Name:		Census Tract:	8112
Local Historic District:		Elementary School:	Walnut Hill
		Middle School:	Vernon Johns Middle School
		High School:	Petersburg High School

Improvements

Finished (Above Grade):	1,458	Shed:	
Basement:		Total Rooms:	6
Attached Garage:		Bedrooms:	3
Detached Garage:		Full Baths:	1
Enclosed Porch:		Half Baths:	1
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	100%

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	2/1/1979	\$45,900	363/401

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	\$30,700	\$30,700	\$30,700	\$30,700	\$32,200
Improvement Value	\$98,900	\$98,900	\$98,900	\$98,900	\$103,800
Total Value	\$129,600	\$129,600	\$129,600	\$129,600	\$136,000

Property Tax (Coming Soon)

Petersburg, Virginia

Legend

County Boundaries

Parcels

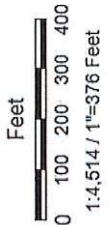
Zoning

- A
- B-1
- B-2
- B-3
- M-1
- M-2
- MXD1
- MXD2
- PUD
- R-1
- R-1A
- R-2
- R-3
- R-4
- R-5
- R-6
- RB
- RMH
- RTH



Parcel #: 083010003

Date: 7/5/2022

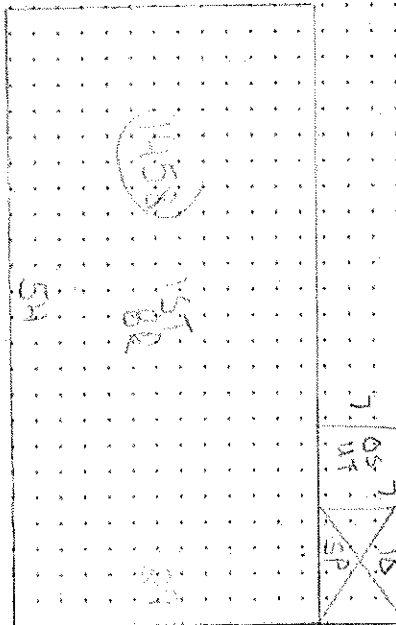


DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records information, and data obtained from various sources, and City of Petersburg is not responsible for its accuracy or how current it may be.

OWNER OF RECORD			DATE RECORDED	DEED OR WILL BOOK	CONSIDERATION	MAP #	083-01-003	
HARRIS, JAMES W & YATES, POLLY			8-1-79 7-9-86	363-451 433-217	\$ 45900 +	LEGAL: 513 OLD WAGNER RD. 0.870 ACRES		
						SITE DESCRIPTION		
						ZONING:	A	USE CODE: 250
						FRONTAGE:		DEPTH:
						SQ. FEET:		ACREAGE: 0.870
						REMARKS: 8/30/04 DT 58,750 1/26/10 DTCL 60,000		
YEAR	LAND VALUE	BUILDING VALUE	TOTAL VALUE	REMARKS		BUILDING DESCRIPTION		
88/89	9,000	48,900	57,900					
09	32000	123900	155900					
10	30700	120200	150900					
11/12	30700	117800	148500					
13	30700	98900	129600					
2000	13100	68900	82000					
01	13000	71400	84400					
02	15900	76100	92000					
03	15,900	81,100	97,000					
04	16700	85400	102100					
05	17500	99000	116500					
06	21200	110400	131600					
07	26500	110400	136900					
08	27800	115500	143300					
						% A/C:	BASEMENT: -	FP: 1
						ROOMS: 6	BEDROOMS: 3	BATHS: 1 1/2
						HEAT: <input type="checkbox"/> FHA <input type="checkbox"/> EBB <input type="checkbox"/> HEAT PUMP		
						<input type="checkbox"/> RAD. <input type="checkbox"/> F. FURN. <input type="checkbox"/>		
						ROOF: <input checked="" type="checkbox"/> COMPOS. SHINGLE <input type="checkbox"/> METAL <input type="checkbox"/> SLATE	YR. BLT. 1908	
						EXTERIOR WALL: <input type="checkbox"/> W. SIDING <input type="checkbox"/> C. BLK. <input checked="" type="checkbox"/> BRICK		
						STORY TYPE: <input checked="" type="checkbox"/> 1 STORY <input type="checkbox"/> 1 1/2 STORY <input type="checkbox"/> 2 STORY		
						OCCUPANCY: <input checked="" type="checkbox"/> S. FAMILY <input type="checkbox"/> DUPLEX <input type="checkbox"/> M-FAMILY		
						<input type="checkbox"/> COMMERCIAL <input type="checkbox"/> INDUST. <input type="checkbox"/>		

* S&A 0.00/2.40 10H 1300

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GROSS AREA: 1458

NOTES:

(2) CB Group 570

1458

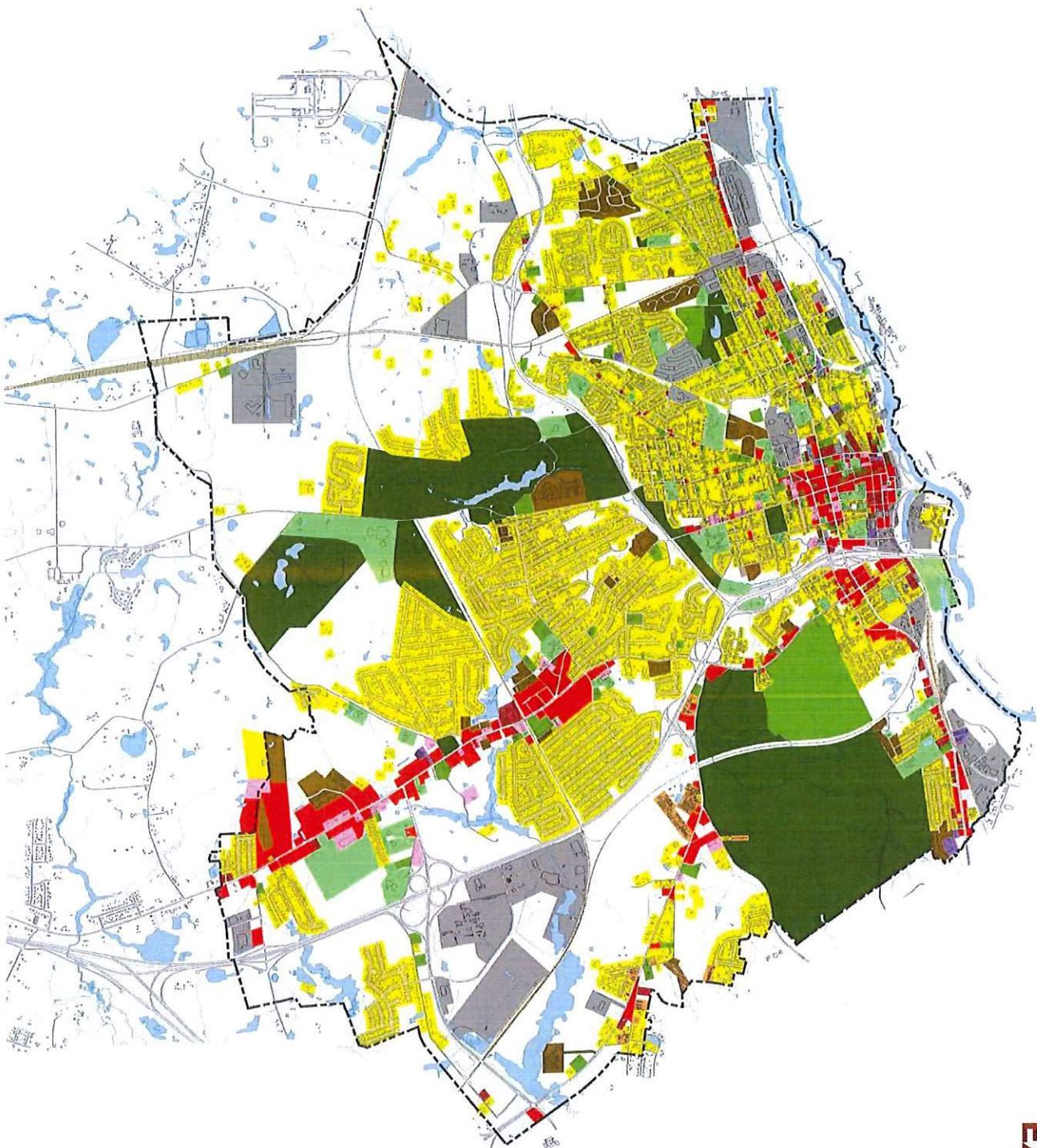
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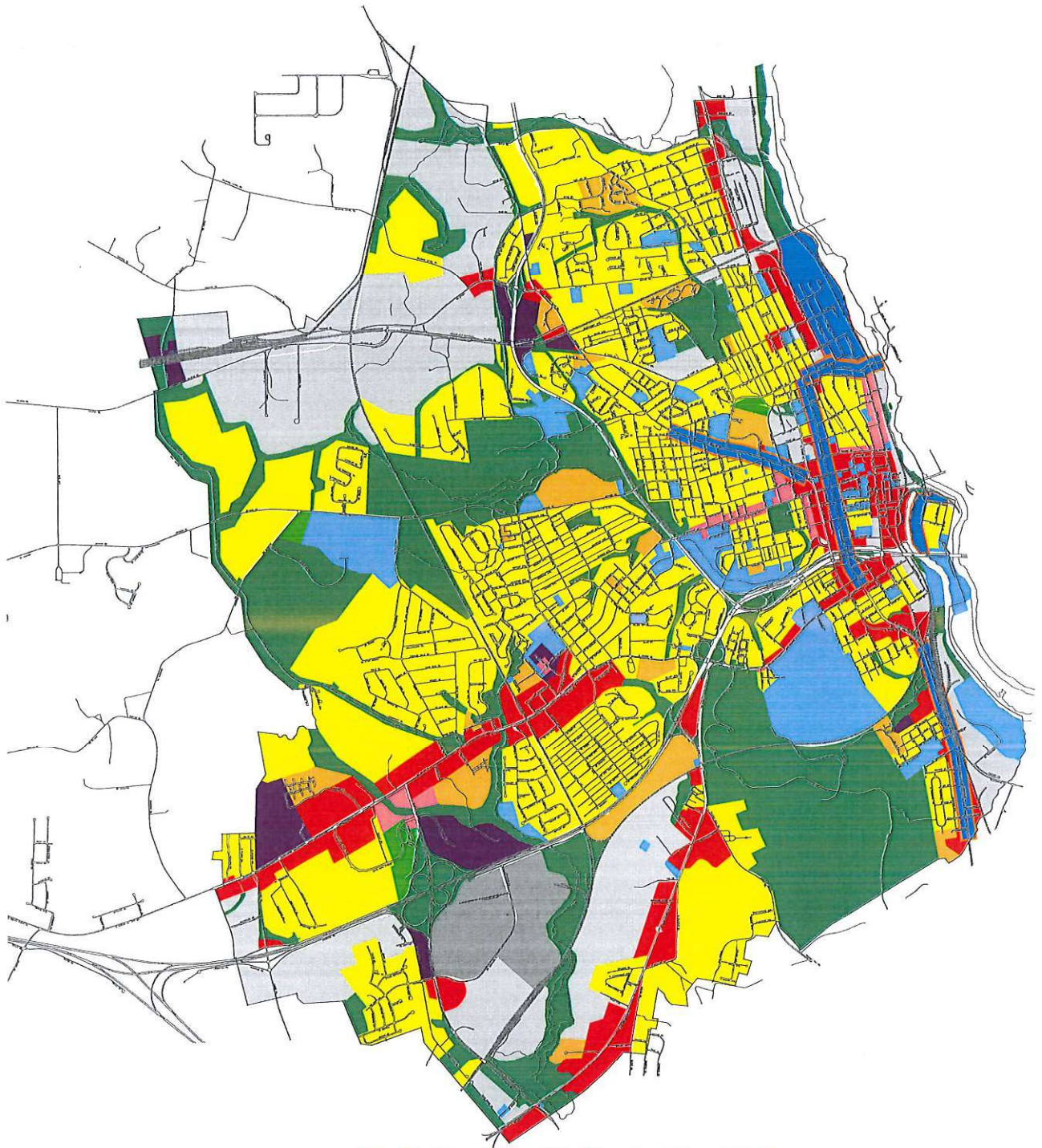


EXISTING LAND USE **COMPREHENSIVE PLAN** City of Petersburg, Virginia

- LEGEND**
- Land Use Classifications**
- Residential
 - SINGLE FAMILY
 - MOBILE HOME
 - MULTI-FAMILY
 - Commercial
 - RETAIL & SERVICE
 - GENERAL COMMERCIAL
 - BUSINESS / PROFESSIONAL SERVICE
 - Industrial
 - INDUSTRIAL
 - WAREHOUSING
 - Public & Semi-Public
 - COMMUNITY FACILITIES
 - PLACES OF WORSHIP, CEMETERIES
 - LODGES
 - PARKS & RECREATION
 - VACANT



MAY 20, 2008
 K.W. Poore and Associates, Inc.
 Community Development Consultants



LEGEND

- LOW DENSITY RESIDENTIAL
- MEDIUM / HIGH DENSITY RESIDENTIAL
- MIXED COMMERCIAL / PROFESSIONAL
- COMMERCIAL
- LIGHT INDUSTRIAL/FLEXIBLE
- HEAVY INDUSTRIAL
- INSTITUTIONAL
- PUBLIC USES
- PARKS & OPEN SPACE
- MIXED USE (OFFICE, INSTITUTIONAL, COMMERCIAL, RESIDENTIAL)
- RTE. 36 (E. WASHINGTON STREET) DEVELOPMENT CORRIDOR
- EAST CITY LIMITS TO E. BANK STREET
- WASHINGTON STREET DEVELOPMENT CORRIDOR
- CRATER ROAD TO ADAMS STREET
- WASHINGTON STREET DEVELOPMENT CORRIDOR
- ADAMS STREET TO SOUTH STREET
- HALIFAX STREET DEVELOPMENT CORRIDOR
- W. WYTHE STREET TO VIRGINIA AVENUE
- UNIVERSITY BOULEVARD / N. SOUTH STREET
- DEVELOPMENT CORRIDOR
- W. WASHINGTON STREET TO APPOMATTOX RIVER
- POCAHONTAS ISLAND
- DEVELOPMENT DISTRICT
- BATTERSEA
- DEVELOPMENT DISTRICT

FUTURE LAND USE PLAN CITY OF PETERSBURG, VIRGINIA COMPREHENSIVE PLAN 2014

Petersburg, Virginia

Parcel:

083010004

Summary

Owner Name	BUCHANAN & RICE	National Historic District:	
Owner Mailing Address	1811 RUFFIN MILL CIRCLE COLONIAL HEIGHTS, VA 23834	Enterprise Zone:	
Property Use	400	Opportunity Zone:	51730811200
State Class:	4 Commercial and Industrial	VA Senate District:	16
Zoning:	A	Va House District:	63
Property Address	525 OLD WAGNER RD Petersburg, VA	Congressional District:	4
Legal Acreage:	1.54	City Ward:	2
Legal Description:	1.5495 ACRES	Polling Place:	Good Shepherd Baptist Church
Subdivision:		Primary Service Area:	
Assessment Neighborhood Name:		Census Tract:	0
Local Historic District:		Elementary School:	Walnut Hill
		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:	0%

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
	5/22/2007	\$35,000	2007/2889

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	\$34,500	\$34,500	\$34,500	\$34,500	\$38,000
Improvement Value	\$	\$	\$	\$	\$
Total Value	\$34,500	\$34,500	\$34,500	\$34,500	\$38,000

Property Tax (Coming Soon)

Petersburg, Virginia

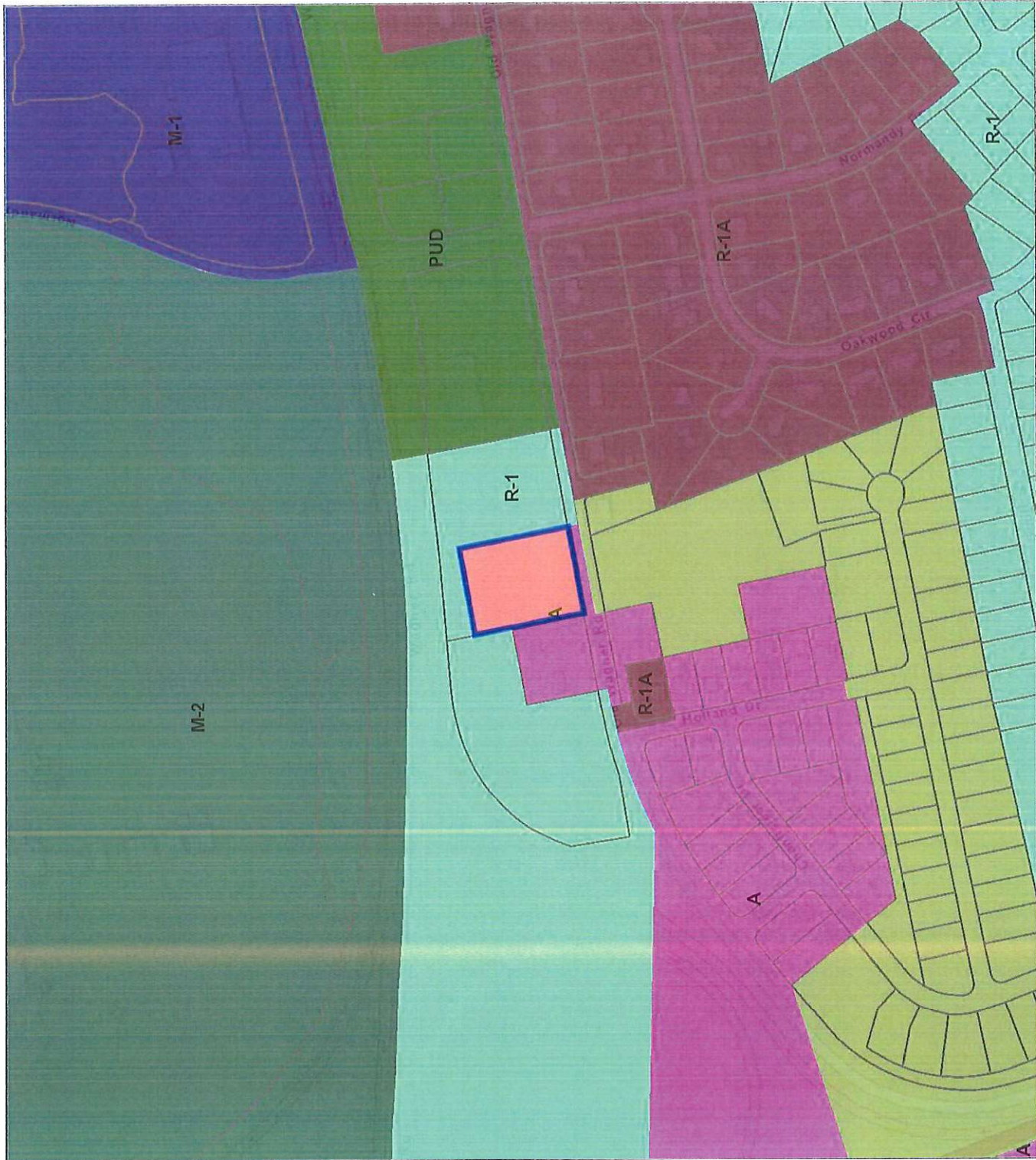
Legend

County Boundaries

Parcels

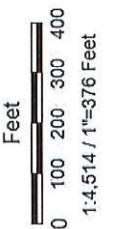
Zoning

- A
- B-1
- B-2
- B-3
- M-1
- M-2
- MXD1
- MXD2
- PUD
- R-1
- R-1A
- R-2
- R-3
- R-4
- R-5
- R-6
- RB
- RMH
- RTH



Parcel #: 083010004

Date: 7/5/2022



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: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Nykesha Lucas

RE: **Consideration of appointment/s to the Appomattox River Water Authority (ARWA) Board. (Page 105)**

PURPOSE: To make an appointment to the ARWA Board.

REASON: The new city manager needs to be appointed to ARWA.

RECOMMENDATION: Recommend City Council appoint John M. "March" Altman, Jr., City Manager, as the primary, and Tangela Innis, Deputy City Manager, as the alternate member to the Appomattox River Water Authority Board.

BACKGROUND: The Appomattox River Water Authority consists of the Cities of Colonial Heights and Petersburg and the Counties of Chesterfield, Dinwiddie, and Prince George. The Authority is responsible for the operation of the Appomattox River Water Treatment plant.

The Authority Board includes one (1) Member and one (1) Alternate Member from each of the political subdivisions. City Council has, as have other as its representatives on the Board and the Director of Public Works as the alternate.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 9/20/2022

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. arwa
2. Appomattox River Water Authority Board 2022

**A RESOLUTION APPOINTING JOHN M. “MARCH”
ALTMAN, JR., CITY MANAGER, TO THE
APPOMATTOX RIVER WATER AUTHORITY
BOARD AS THE PRIMARY AND TANGELA INNIS
AS THE ALTERNATE FOR A TERM ENDING
DECEMBER 31, 2022.**

BE IT RESOLVED, by the City Council of the City of Petersburg, that it hereby appoints John M. “March” Altman, Jr., City Manager, to the Appomattox River Water Authority Board as the Primary and Tangela Innis as the alternate for a term ending December 31, 2022.

Resolution _____
Adopted by the City of Petersburg
Council of the City of Petersburg on:

Clerk of City Council

APPOMATTOX RIVER WATER AUTHORITY BOARD			
Number of Members: 2			
TERM	APPOINTMENT	APPOINTED	NEW APPLICANT
4/19/2022-12/31/2022	Tangela Innis (Deputy City Manager, primary)		
4/19/2022-12/31/2022	Randall Williams (alternate)		
AUTHORITY:		COMPOSITION:	
Virginia Water & Sewer Authorities Act, Section 15.1-1249 of the Code of Virginia; Concurrent Resolutions of the governing bodies of the Cities of Petersburg and Colonial Heights and the counties of Chesterfield, Dinwiddie, and Prince George setting forth the Articles of Incorporation - Resolution #4692 adopted October 4, 1960. Water Authority began furnishing water on January 1, 1968.		One (1) member and one (1) alternate member from each of the political subdivisions participating in the authority.	
MEETINGS:		TERMS:	
May 15, 2014; June 25, 2014; July 24, 2014; September 25, 2014(1:00pm) , 2:00p.m., Authority Office Lake Chesdin		Four (4) years	
STAFF LIAISON:			
Robert C. Wichser, Executive Director			
Appomattox River Water Authority			
21300 Chesdin Road			
Petersburg, VA 23803			
(804) 590-1145			



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Nykesha Lucas

RE: **Consideration of appointments to the South Central Wastewater Treatment Authority Board. (Page 110)**

PURPOSE: To make appointments to the South Central Wastewater Treatment Authority Board.

REASON: To appoint the new city manager as primary and the deputy city manager as alternate to South Central Wastewater Treatment Authority Board.

RECOMMENDATION: Recommend City Council appoint John M. "March" Altman, Jr., City Manager, as the primary, and Tangelia Innis, Deputy City Manager, as the alternate member to the South Central Wastewater Treatment Authority Board.

BACKGROUND: South Central Wastewater Treatment Authority operates the Petersburg Wastewater Plant, which serves the Cities of Colonial Heights and Petersburg along with the Counties of Chesterfield, Dinwiddie and Prince George.

The Authority Board includes one (1) Member and one (1) Alternate Member from each of the political subdivisions. City Council has, as have other member jurisdiction, traditionally appointed the locality's chief administrative officer as its representative on the Board and the Director of Public Works as the alternate.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 9/20/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. South Central Wastewater Treatment Authority 2022
2. South

	SOUTH CENTRAL WASTEWATER TREATMENT AUTHORITY		
	Number of members: 2		
TERMS	APPOINTMENTS	APPOINTED	
4/19/2022-12/31/2024	Tangela Innis, Deputy City Manager, Primary		
4/22/2022-12/31/2024	Randall Williams(alternate)		
	AUTHORITY:		COMPOSITION:
	Operates the Petersburg Wastewater Plant, which serves the cities of Colonial Heights and Petersburg along with the counties of Chesterfield, Dinwiddie and Prince George.		One (1) member and one (1) alternate member from each of the political subdivisions participating in the authority.
	MEETING DATE AND TIME:		TERMS:
	Third Wednesday, 2:00pm		Four (4) years
	STAFF LIAISON:		
	William Leary, Director of South Central Wastewater Treatment Plant		
	(804) 861-0111		

**A RESOLUTION APPOINTING JOHN M. “MARCH”
ALTMAN, JR. AS THE PRIMARY AND TANGELA
INNIS AS THE ALTERNATE WITH A TERM
ENDING SEPTEMBER 30, 2024, TO THE SOUTH
CENTRAL VIRGINIA WASTEWATER
TREATMENT AUTHORITY.**

BE IT RESOLVED, by the City Council of the City of Petersburg, that it hereby appoints John M. “March” Altman, Jr as the primary and Tangela Innis as the alternate with a term ending September 30, 2024, to the South Central Virginia Wastewater Treatment Authority.

Resolution _____
Adopted by the City of Petersburg
Council of the City of Petersburg on:

Clerk of City Council



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: John M. Alman Jr.

FROM: Charles Koonce

RE: Consideration of an update to the Title VI Program and Resolution for Petersburg Area Transit's Title VI Program (Page 115)

PURPOSE: The City of Petersburg's Title VI Plan Update details how Petersburg Area Transit complies with the *U.S. Civil Rights Act of 1964* and related federal legislation. The plan was updated to reflect the new City Manager, new Director of Mass Transit and the elimination of the Hispanic Liaison office in the City.

REASON:

The Title VI Program must be approved by the recipient's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to FTA. For State DOTs, the appropriate governing entity is the State's Secretary of Transportation or equivalent. For the City of Petersburg, the City Council is the governing body.

RECOMMENDATION: Recommend City Council adopt the updated Title VI program and attached resolution approving Petersburg Area Transit's updated Title VI Program.

BACKGROUND:

In order to receive federal assistance through the FTA, Petersburg Area Transit (PAT) must comply with the guidelines of Title VI of the Civil Rights ACT of 1964 and carry out the U.S. Department of Transportation ("DOT" or "the Department") Title VI regulations (49 CFR part 21). PAT's Title VI document is intended to integrate programs and activities, based on the considerations expressed in the Department's Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient ("LEP") Persons (70 FR 74087, December 14, 2005). PAT will, as a commitment to civil rights, ensure that "No person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance."

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 9/20/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Petersburg area Transit

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: None

ATTACHMENTS:

1. TITLE VI PROGRAM UPDATE reprint for better copy 8-5-2022
2. Title IV Resolution 7-26-2022



100 W. Washington Street

Petersburg, Virginia 23803

Phone 804.733.2450 • Fax 804.733.2468

Petersburg AreaTransit

TITLE VI PROGRAM UPDATE

REVISED
June 24, 2022

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INTRODUCTION

Petersburg Area Transit, hereafter called PAT, hereby certifies that, as a condition of receiving Federal Financial Assistance under the Urban Mass Transportation Act of 1964, as amended, PAT will ensure its compliance to the Title VI Program outlined by Code of Federal Regulations.

PAT acknowledges that, at the discretion of the FTA, information other than that which is required by FTA C4702.1B, may be requested in writing of PAT to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI.

PAT ASSURANCES TO THE TITLE VI PROGRAM

PAT shall submit on an annual basis, their Title VI Assurance, as part of their annual Certification and Assurance submission to the FTA.

PAT will compile, maintain, and submit in a timely manner, Title VI information required by FTA Circular 4702.1B and in compliance with the Department of Transportation's Title VI regulation, 49 CFR Part 21.7.

PAT will as a commitment to civil rights ensure that "No person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance."

- None shall, on the basis of race, color or national origin is to be subjected to discrimination in the level and quality of transportation services and transit-related benefits provided by PAT.
- PAT will make it known to the public that those persons alleging discrimination on the basis of race, color, or national origin as it relates to the provision of transportation services and transit-related benefits may file a complaint with the Federal Transit Administration, the U. S. Department of Transportation and the City of Petersburg as described in Section II.

PAT does not pass FTA funds thru sub-recipients.

PAT as a recipient of federal funding will examine its services and identify any need for services to those with limited English proficiency and develop and implement systems to provide services so LEP persons can have meaningful access to these services. Section IV of this plan explains and identifies action of PAT.

Timely Submission

PAT acknowledges that, at the discretion of the FTA, information other than that which is required by FTA C 4702.1B, may be required in writing of the FTA, to investigate complaints of discrimination or to resolve concerns about possible noncompliance with Title VI.

- A summary of public outreach and involvement activities undertaken since the last submission and a description of steps taken to ensure that minority and low-income people had meaningful access to these activities.
- PAT process for persons with Limited English Proficiency (LEP).
- Title VI Complaint and Tracking procedures.
- A list of any Title VI investigations, complaints or lawsuits filed since the last submission: and
- A copy of PAT public notice regarding Title VI compliance and public access and instructions to PAT Title VI complaint procedures.

Portions of the Plan which have not changed since the last submission will not be resubmitted, however, PAT shall include a statement to this effect in lieu of copies of the original documents in order to eliminate redundancy in resubmissions.

The person, whose signature appears below, are authorized to sign on behalf of the grant applicant or recipient.

Date: June 24, 2022

A handwritten signature in black ink, reading "Charles L. Koonce, Jr.", is written over a horizontal line.

Charles L. Koonce, Jr.
Director of Mass Transit

TITLE VI COMPLIANCE HISTORY

PAT has no issues of non-compliance and makes necessary corrections when identified:

- There are no outstanding lawsuits or complaints naming PAT which allege discrimination on the basis of race, color, or national origin with respect to service or other transit benefits.
- There are no pending applications for Federal Financial Assistance and there is no Federal financial assistance currently being provided to PAT other than that being supplied by the Federal Transit Administration (FTA). Currently, PAT is applying for Section 5307 and 5339 funding through the FTA.
- During the course of the last three (3) years, there have not been any civil rights compliance review activities conducted with respect to PAT and, to the best of our knowledge, there are not presently any ongoing civil rights compliance review activities being conducted with respect to PAT.
- There are currently no pending construction projects which would negatively impact minority communities being performed by PAT.

GENERAL REQUIREMENTS

Notice to the Public

Petersburg Area Transit (PAT or "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation will comply with the Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U. S. C. 2000d- 42 U. S. C. 2000d-4 U.S.C. 2000d-4 (hereinafter reference as the "Act"), and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary , Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation

– Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to the "Regulations") and other pertinent directives, to the end and that in accordance with the Act of 1964, Regulations, and other pertinent directives.

PAT will thereby maintain notice to the public identifying this compliance using all available manners of address from the design of its program, training of its staff and providing notice using available media reinforcing the assurances stated on page 3.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to its Federal Transit Administration Program:

- That the Recipient agrees that each "program" and each "facility" as defined in sub 21.23(a) and 21.23 (b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requires imposed by, or pursuant to, the Regulations.
- That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection will all Federal Transit Administration Programs and, in adapted form in all proposals or negotiated agreements:

Petersburg Area Transit, in accordance with the Title VI of the Civil Rights Act of 1964, 78 Stat., 252 U. S. C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federal-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders/proposers that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to the invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

- That the Recipient shall insert the clauses contained herein every contract subject to this Act and the Regulations.
- That the Recipient shall insert the clauses contained herein as a covenant running with the land, in any deed from the United States affecting a transfer of real property, structures or improvements thereon, or interest herein.
- That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
- That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights to space on, over or under such property.
- That the Recipient shall include the appropriate clauses contained herein as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties:
 - ✓ for the subsequent transfer of real property acquired or improved under the Federal Transit Administration Programs; and
 - ✓ for the construction or use of or access to, space on, over, or under real property acquired, or improved under the Federal Transit Administration Programs.
- That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods:
 - ✓ the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - ✓ The period during which the Recipient retains ownership or possession of the property.
- The Recipient shall provide for such methods of administration for program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations, and this assurance.

- The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, the Regulations, and this assurance.
- The Recipient assures that the level and quality of transit service and related benefits are provided in a manner consistent with Title VI of the Civil Rights Act of 1964.

THESE ASSURANCES are given in consideration of, and for the purpose of, obtaining any and all Federal grants, loans, contracts, property, discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under the Federal Transit Administration and is binding on it, other recipients, sub-grantees, contractors, subcontractors, transferees, successors in interest and other participates in the Federal Transit Administration Programs.

DISCRIMINATION COMPLAINT FORM and PROCESS



TITLE VI COMPLAINT FORM Petersburg Area Transit (PAT)

PAT is committed to ensuring that no person is excluded from participation in or denied the benefits of its services on the basis of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, as amended. The following information is necessary to assist us in processing your complaint. If you require any assistance in completing this form, please contact the Title VI Coordinator, by calling (804) 733-2452. The completed form must be returned to PAT Customer Service Office, Title VI Coordinator, 100 West Washington Street, Petersburg, Virginia 23803

Section I:	
Name:	
Address:	
Telephone (Home):	Telephone (Work):
Electronic Mail Address:	
Section II:	
Are you filing this complaint on your If not, please supply the name and relationship of the person for who you are filing the complaint	Yes* (if yes, go to Section III) <input type="checkbox"/> No
Please explain why you have filed for a third-party:	
Please confirm that you have obtained the permission of the aggrieved party if you are filing on behalf of a third- party.	
Yes <input type="checkbox"/> No	
Section III:	
I believe the discrimination I experienced was based on (check all that apply):	
Race <input type="checkbox"/> Color <input type="checkbox"/> National Origin <input type="checkbox"/> American Disabilities Act <input type="checkbox"/>	
Date of the Alleged Discrimination (Month, Day, Year):	Time of Day:
Explain as clearly as possible what happened and why you believe you were discriminated against. Describe all persons who were involved. Include the name and contact information of the person (s) who discriminated against you (if known) as well as names and contact information for any witnesses. If more space is needed, please use the back of this form.	

Section IV:	
Have you previously filed a Title VI complaint with this agency? Please explain.	
	Yes <input type="checkbox"/> No
Section V:	
Have you filed this complaint with any other Federal, State, or local agency or with any	
	Yes <input type="checkbox"/> No
If you have filed this complaint with another entity, please provide the information below:	
Agency:	Contact Name:
Address:	Telephone Number:
Agency:	Contact Name:
Address:	Telephone Number:

You may attach any written material or other information that you think is relevant to your complaint.
I affirm that I have read the above charge and that it is true to the best of my knowledge, information, and belief.

Complainant's Signature

Date

Please submit this complaint form to:
PAT Customer Service Office, Title VI Coordinator
100 West Washington Street
Petersburg, Virginia 23803

INSTRUCTIONS FOR COMPLETING COMPLAINT FORM

You may either type your complaint or hand write it so long as it can be easily read. If needed, attach additional sheets of paper to provide additional information and indicate that you have done so on the complaint form.

- Section 1 – Provide personal identifying information as requested.
- Section 2 – Advise if you are the complainant or assisting the complainant. If assisting, identify yourself in section 2 or go to section 3 if you are the complainant.
- Section 3 – Identify the basis for discrimination; provide date and time of the incident, then explain the circumstances with as much detail as you can. Remember to add sheets if needed as state in the section if attachments have been included.
- Section 4 – please advise if there has been any previous complaint with Petersburg Area Transit or the City of Petersburg.
- Section 5 – Advise if you have previous complaints with any other Federal, State, or local agency or with any Federal or State court. Identify any other representatives or third parties subject to your complaint name of Agency, contact name, address, and phone number.
- Your signature and the date of completion is required on the form as indicated by the statement that the complaint is true to the best of knowledge.

A complaint must meet the following criteria for acceptance:

- The Complaint must be filled within 180 days of alleged occurrence.
- You must sign the complaint. You may not sign for anyone else.
- Mail or provide your completed complaint to:

Petersburg Area Transit
100 West Washington Street
Petersburg, Virginia 23803
Attention: Transit Program Manager

Title VI Public Notice of Rights/Complaint Process

Public Notice of Rights

The following statement shall be posted on site at both PAT office locations, on the PAT website (www.petersburg-va.gov), permanently displayed on public transit vehicles; and other appropriate materials made available to the public. (Documents will be translated into languages other than English, upon request.)

Non-Discrimination - Your Rights under Title VI of the Civil Rights Act of 1964

"No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Title VI Information, Limited English Proficient (LEP) Information and Complaint Process (for printed materials, website, and other mediums upon request)

PAT grants all citizens equal access to all its transportation services. It is further the intent of PAT that all citizens are aware of their rights to such access. This is designed to serve as an educational tool for citizens so that they may understand one of the civil rights laws that protect their benefit of the PAT programs and services, specifically, as it relates to Title VI of the Civil Rights Act of 1964.

What is Title VI?

Title VI of the Civil Rights Act of 1964, is the Federal Law that protects individuals from discrimination on the basis of their race, color or national origin in programs that receive Federal Financial Assistance.

Petersburg Area Transit supports this law and posts this information on its Transit Buses, City owned website, and at the Transit Station offices where patrons may be notified. The following statement and instructions are provided:

- *"No person or group of persons shall be discriminated against with regard to the routing, scheduling, or quality of transportation service furnished by PAT on the basis of race, color, or national origin. Frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, or national origin"*

How can I file a discrimination complaint?

Any person who believes that they have, individually, or as a member of any specific class of persons, been subjected to discrimination on the basis of race, color, or national origin may file a complaint with PAT, Queenie Byrd, Transit Program Manager at (804)733-2452.

These procedures do not deny the right of the complainant to file formal complaints with other State or Federal agencies or to seek private counsel for complaints alleging discrimination. Every effort will be made to obtain early resolution of complaints at the lowest level possible. The option of informal mediation meeting(s) between the affected parties and PAT may be utilized for resolution. Any individual, group of individuals or entity that believes they have been subjected to discrimination prohibited under Title VI and related statutes may file a complaint.

The following measures will be taken to resolve Title VI complaints:

- A formal complaint must be filed within 180 days of the alleged occurrence. Complaints shall be in writing and signed by the individual or his/her representative, and will include the complainant's name, address, and telephone number; number of alleged discriminating official, basis of complaint (race, color, national origin) and the date of alleged act(s). A statement detailing the facts and circumstances of the alleged discrimination must accompany all complaints.

Petersburg Area Transit strongly encourages the use of the attached PAT Title VI Complaint Form when filing official complaints.

The preferred method is to file your complaint in writing using the PAT Title VI Complaint Form and send it to:

Title VI Coordinator
Petersburg Area Transit
100 West Washington Street
Petersburg, Virginia 23803

- In the case where a complainant is unable or incapable of providing a written statement, a verbal complaint of discrimination may be made to PAT Title VI Coordinator. Under these circumstances, the complainant will be interviewed, and the PAT Title VI Coordinator will assist the Complainant in converting the verbal allegations to writing.
- When a complaint is received, the Title VI Coordinator will provide written acknowledgment to the Complainant, within ten (10) days by registered mail.

- If a complaint is deemed incomplete, additional information will be requested, and the Complainant will be provided sixty (60) business days to submit the required information. Failure to do so may be considered good cause for a determination of no investigative merit.
- Within fifteen (15) business days from receipt of a complete complaint, PAT will determine its jurisdiction in pursuing the matter and whether the complaint has sufficient merit to warrant investigation. Within five (5) days of this decision, the Transit Administrative Manager or his/her authorized designee will notify the Complainant and Respondent, by registered mail, informing them of the disposition.
 - ✓ If the decision is not to investigate the complaint, the notification shall specifically state the reason for the decision.
 - ✓ If the complaint is to be investigated, the notification shall state the grounds of PAT jurisdiction, while informing the parties that their full cooperation will be required in gathering additional information and assisting the investigator.
- When PAT does not have sufficient jurisdiction, the Transit Program Manager or his/her authorized designee will refer the complaint to the appropriate State or Federal agency holding such jurisdiction.
- If the complaint has investigative merit, the Transit Administrative Manager or his/her designee will instruct the Title VI Coordinator to fully investigate the complaint. A complete investigation will be conducted, and an investigative report will be submitted to the Transit Program Manager within sixty (60) days from receipt of the complaint. The report will include a narrative description of the incident, summaries of all persons interviewed and a finding with recommendations and conciliatory measures when appropriate. If the investigation is delayed for any reason, the Title VI Coordinator will notify the appropriate authorities, and an extension will be requested.
- The Transit Administration Program Manager or his/her authorized designee will issue letters of finding to the Complainant and Respondent within ninety (90) days from receipt of the complaint.
- If the Complainant is dissatisfied with PAT's resolution of the complaint, he/she has the right to file a complaint with

Office of Civil Rights
 ATTN: Title VI Program Coordinator
 East Building, 5th Floor – TCR,
 1200 New Jersey Avenue, SE
 Washington, D.C. 20590

PUBLIC PARTICIPATION PLAN

KEY PRINCIPLES and GOALS

To improve public participation resulting in a more effective program under Title VI, PAT shall establish a plan for public participation under the following key principles:

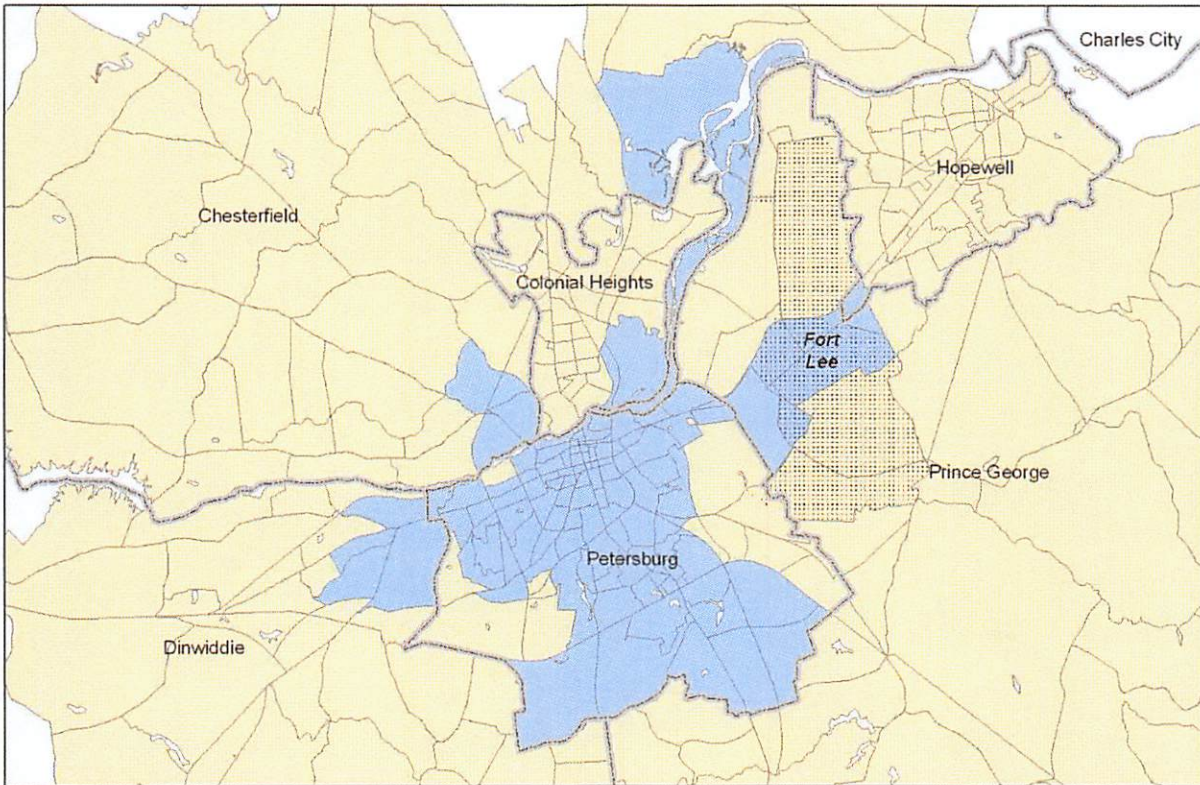
- Coordination with individuals, institutions, or organizations and implementing community-based public involvement strategies to reach out to members in the affected minority and/or low-income communities.
- Provision of opportunities for public participation through means other than written communication, such as personal interviews or use of audio or video recording devices to capture oral comments.
- Utilization of locations, facilities and meeting times that are convenient and accessible to low-income and minority communities.
- Utilization of different meeting sizes or formats, or varying the type and number of news media used to announce public participation opportunities; and
- Implementation of DOT's policy guidance regarding PAT responsibilities to LEP persons.

DECISION MAKING BODIES

PAT engages three decision making bodies to support its role in city government, operational efficiency, and public participation. These bodies are necessary to maintain sound programs for all Title VI requirements. These bodies are:

- The City of Petersburg's Mayor and City Council sets policies for the city. The Interim City Manager (Kenneth Miller) implements policies set by the council and manages the daily operations of the city. Effective August 15, 2022, John M. Altman Jr. will be the new City Manager for the City of Petersburg.
- While PAT doesn't have a formal Board, City Council currently acts as the Board. We are still working on a process of putting together a Committee. The PAT Committee will include, the Deputy City Manager, Director of Mass Transit, and the Lead Purchasing Agent this Committee will engage, review, and approve all PAT contracting and operational actions.

Service Area Geography and Demographic Data



PETERSBURG AREA TRANSIT SERVICE AREA

PETERSBURG AREA TRANSIT SERVICE AREA includes primary routes servicing the cities of Petersburg, Colonial Heights, Hopewell, and Fort Lee (Army installation). Limited service to City of Richmond is available for employment related travel.

The level of service provided to all areas is based on operating factors that provide ridership based on populations, area employment, popular destinations, and other economic factors. PAT participates in many area organizations, such as the Metropolitan Planning Organization and city and civic meetings to ensure meeting the needs of the service area.

Census data and other civic information help shape the levels of service. Demographic data identifies population and race.

Demographic Characteristics	Population Estimate	% by Jurisdiction
White	5,549	16.6% Petersburg
Black	25,674	76.8% Petersburg
American Indian/Alaska Native	200	0.6% Petersburg
Asian	368	1.1% Petersburg
Hispanic	1,638	4.9% Petersburg
Total City Population	33,429	100% Petersburg
White	11,127	48.9% Hopewell
Black	9,174	45.0% Hopewell
American Indian/Alaska Native	451	0.4% Hopewell
Asian	294	1.0% Hopewell
Hispanic	1650	7.0% Hopewell
Total City Population	23,140	100% Hopewell

White	13,467	73.7% Colonial Heights
Black	2,957	16.4% Colonial Heights
American Indian/Alaska Native	55	0.3 % Colonial Heights
Asian	643	3.7% Colonial Heights
Hispanic	1,151	6.3% Colonial Heights
Total City Population	18,273	100% Colonial Heights
Grand Total Population	74,842	

SERVICE STANDARDS AND POLICIES

➤ Vehicle Load

Measure: Provides service levels to prevent overcrowding and standees.

PAT system-wide goal is to have an average maximum load factor for local service not to exceed 1.0, as measured by a ratio of total passengers to seats on board the vehicles. This equates to a maximum of approximately 1 standee on a 21'-29' vehicle.

PAT works closely with its Para-transit section to ensure passengers are not left behind due to overcrowding or overloads. Overcrowding is monitored on all routes; no route in PAT system is overloaded.

Buses in PAT's fleet currently used have seating capacities of:

Type Vehicle	Make	Model	Seats	Standing	Total
21' Mini Bus	Ford	-E450	9	0	9
24' Mini Bus		E-450 (4)	21	0	21
StarCraft Allstar XL	Ford	E-550	26	0	26
35' Standard Bus	Gillig BRT	Low Floors (4)	32	0	32
30' Low floor	Eldorado	EZ-rider	32	0	32
30' Trolley	Hometown	Villager (1)	32	0	32
28' Transit Bus	Chevy	ARBOC (8)	22	0	22

➤ Vehicle Headway

Measure: Provides adequate service frequency based on the corridor of operation and ridership demand.

PAT's system-wide goal is to provide service every 30 and 60 minutes during the peak and off-peak times along all primary transportation corridors in the Petersburg Transit Service Areas. As some routes provide overlapping service within a given corridor, corridor frequencies are typically the same. The vehicle headway standard is designed to ensure that passengers have equitable wait times for transit vehicles. Vehicle headways are measured as the amount of time between the departure of two subsequent buses along the same route or service corridor.

PAT differentiates between three types of bus service as defined below:

Service Type	Bus Routes
Petersburg Service Area	NA
South Park Mall (City of Colonial Heights)	NA
Ettrick's Chesterfield County	NA
Demand Responsive	CSH/SVTC

➤ On-time Performance

Measure: Provides accessible and reliable transit services to the service area 3

To ensure reliable services, PAT aims to have a 95% on-time performance target at major stops and transfer station and an 85% on-time performance target at minor time- point stops for fixed route operations. In addition, PAT's standard is less than 1% of fixed-route trips missed or removed from the daily schedule. For Para transit services, the standard for on-time performance is at least 90% of all Para- transit trips arriving within the thirty-minute pick-up window.

➤ Service Availability

Measure: Provides accessible and reliable transit services to City of Petersburg, City of Colonial Heights, City of Hopewell, and Dinwiddie County.

PAT's goal is to provide transit service to major origins within the Petersburg Area Transit Service Area and surrounding localities.

This goal includes providing transit within 1/4 mile of 90% all City of Petersburg residents by census, 90% of major employers and other large trip generators, and 95% of large multifamily housing developments as well as ensuring that 75% and 75% of middle and high schools are within 1/2 mile and 1/2 mile, respectively, of transit service.

➤ Distribution of Transit Amenities for Each Mode

The transit amenities policy is designed to provide the framework for the distribution of bus stop amenities equitably throughout the system. When resources allow for improvements at multiple stop locations, PAT will prioritize resources based on passenger activity and transfer opportunities. PAT will also recognize the amount of observed boarding versus alighting activity when siting amenities such as shelters, benches, and real-time.

In situations where PAT has the authority and available resources to site new amenities at multiple bus stops, amenities will be programmed for placement at those stops based on need and ridership. Amenities may include, but are not limited to, shelters, seating, trash receptacles, and transit information displays. Amenities are based on passenger boarding's, transfer opportunities, and access to major activity connection areas. While PAT will use need and ridership to program the installation of amenities, external factors (e.g., site limitations, regulations of local jurisdictions, etc.) may dictate that amenities be installed out of order or not at all. Maintenance and replacement of existing amenities will not be subject to.

➤ Vehicle Assignment for Each Mode

The vehicle assignment policy is designed to provide the framework for the distribution of buses in an equitable fashion throughout the system. All vehicles used in transit service will be ADA accessible and accommodate at least two wheelchairs and two bicycles.

Vehicle size and capacity will be assigned based on demand and passenger load factors. Those routes or one route with the lowest passenger demand will be assigned a 21'-24' mini-bus, those with medium demand will be assigned a 29' vehicle and those with the highest demand will be assigned a 35' vehicle.

PUBLIC PARTICIPATION PROCESS

Processes and actions developed to address public participation are set to provide reinforcement of the Title VI objectives. These efforts include:

- Meetings will be held in locations which are fully accessible and welcoming to all area residents, including, but not limited to, low-income and minority members of the public and in locations relevant to the topics being presented and discussed.
- Meetings when considering fare changes, elimination, addition, or modifications to routes and schedule and other transit planning projects are held as formal public city council sessions.
- Schedule meetings that are convenient to patrons, minority and LEP communities that permit roundtable discussion and enhance participation, such as recent held open house to acclimate patrons to services; participation in Hispanic community awareness event to help identify support to LEP persons and open forums to initiate development of patron passenger advisory group.
- Coordinate with community organizations, educational institutions, and other organizations to implement public engagement strategies that reach out specifically to members of affected minority and/or LEP communities through churches, nearby university leadership, clubs, and other civic organizations.
- Uses media and signage to support the process as follows:
 - ✓ Print- Newspapers and other periodicals.
 - ✓ Outdoor-Advertising onboard buses (interior/exterior) and in bus shelters.
 - ✓ Website - PAT has assembled a comprehensive website with the City of Petersburg.
 - ✓ On Board – PAT provides riders with details of service changes, schedules of public meetings and notifications including Title VI requirements.
 - ✓ On- board scrolling messages - PAT buses provide messages of pertinent and relevant data.
 - ✓ Interterminal address system used to provide transit information.

SUMMARY OF PUBLIC PARTICIPATION ACTIVITIES

PAT public outreach is primarily accomplished through City Council meetings. The meetings are generally held twice a month and are open to the public. Dates, times, agendas, and minutes for City Council meetings are posted on the City of Petersburg website. PAT service and policy changes, such as changes to routes or fares, are discussed at these meetings and public comment is welcomed. The City of Petersburg website and social media is another additional platform from which PAT and the City Council communicate PAT service and policy changes with the public. PAT recently completed its Transit Strategic Plan with updated route changes with an addition added to include stops at Richard Bland College.

LANGUAGE ASSISTANCE PLAN

The demographics for Petersburg, Virginia as provided by the U.S. Census indicate that the city is 77% Black or African American, 17% White, 5% Hispanic and 2.4 percent other. This make-up supports that the Hispanic community is its largest minority. Several programs (Appendix B and C) to support this community along with concerns of limited English proficiency have been instituted to make Petersburg Area Transit inclusive to all.

- Improving Access for People with Limited English Proficiency (LEP)

PAT shall take steps to ensure meaningful access to the benefits, services, information, and other important portions of their programs and activities for individuals who are Limited English Proficient (LEP). PAT will assist persons with Limited English Proficiency to participate in the transportation planning process. PAT Staff will make every effort to provide translators and document translation, where feasible, upon request. PAT Limited English Proficiency (LEP) Plan is contained herein as Appendix B.

- Actions and Tools Supporting Riders With LEP

To support the Title VI program, PAT has completed many actions and tools to accommodate the LEP population. Actions taken include the following:

- ✓ Established a transit route to support the community where a predominance of LEP persons reside.
- ✓ The use of multi-lingual signage on transit vehicles and websites.
- ✓ Work is completed for the translation of other documents to support Title VI progress.

The City of Petersburg has several offices including Social Services, Police, Fire and Rescue that offer multilingual personnel to assist when issues arise. The City of Petersburg's website (which includes Transit data) is multilingual into many languages using Microsoft Translator.

Limited English Proficiency Plan (LEP)

- INTRODUCTION

The purpose of this Limited English Proficiency policy guidance is to clarify the responsibilities of recipients of federal financial assistance from the U. S. Department of Transportation (DOT) and assist them in fulfilling their responsibilities to limited English proficient (LEP) persons, pursuant to Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq., and its implementing regulations provide that no person shall be subjected to discrimination on the basis of race, color, or national origin under any program or activity that receives federal financial assistance, and;

- EXECUTIVE ORDER 13166

Executive Order 13166 "Improving Access to Services for Persons with Limited English Proficiency," reprinted at 65 FR 50121 (August 16, 2000), directs each

Federal agency that is subject to the requirements of Title VI to publish guidance for its respective recipients clarifying that obligation. Executive Order 13166 further directs that all such guidance documents be consistent with the compliance standards and framework detailed in the Department of Justice's (DOJ's) Policy Guidance entitled "Enforcement of Title VI of the Civil Rights Act of 1964-National Origin Discrimination against Persons With Limited English Proficiency." (See 65 FR 50123, August 16, 2000, DOJ's General LRP Guidance). Different treatment based upon a person's inability to speak, read, write, or understand English may be a type of national origin discrimination. Executive Order 13166 applies to all federal agencies and all programs and operations of entities that receive funding from the federal government, including state agencies, local agencies such as Petersburg Area Transit (PAT), and governments, private and non-profit entities, and sub-recipient

- PLAN SUMMARY

PAT has developed this Limited English Proficiency Plan (LEP) to help identify reasonable steps to provide language assistance for LEP persons seeking meaningful access to PAT services are required by Executive Order 13166. A Limited English Proficiency person is one who does not speak English as their primary language and who has a limited ability to read, speak, write, or understand English.

This plan details procedures on how to identify a person who may need language assistance, the ways in which assistance may be provided, training staff how to notify LEP persons that assistance is available, and information for future plan updates.

In developing the plan, and reviewing the City of Petersburg's statistic, PAT determine the extent of obligation to provide LEP services. PAT used a U.S. Department of Transportation four factor LEP analysis which considers the following:

- ✓ The number or proportion of LEP persons eligible in PAT's service area who may be served or likely to encounter a PAT program, activity, or service.
- ✓ The frequency with which LEP individuals come in contact with PAT services
- ✓ The nature and importance of the program, activity or service provided by PAT to the LEP population.
- ✓ The resources available to PAT and overall cost to provide LEP assistance. A brief description of these considerations is provided in the next section.

FOUR FACTOR ANALYSIS

The number or proportion of LEP persons eligible in the PAT service area who may be served or likely to encounter a PAT program, activity or service are 99.9% Hispanic.

The 2020 Census data on the number of individuals in its service area that have LEP, as follows:

Language Use and English-Speaking Ability for the Population by Speaking other than English at home.		
Total Population 5 years and older	28,678	100%
Speak English at home	26,866	93.7
Total population non-English	1,812	0.2
# of population not speaking English well or not at all	925	3.2
English ability very well	521	4.3
English ability well	769	1.3
English ability not well	377	0.2
English ability not at all	69	0.5

PAT assessed the frequency at which staff and drivers have or could possibly have a contact with LEP person. The majority of LEP persons are Hispanic. Many have mastered the English language, however if the need arise for assistance PAT is able to assist.

In the PAT service area, the overwhelming majority of the population (95.4%) speaks English only, however because the LEP community is concentrated, PAT has established a route that assist the LEP community with access to hospital and medical offices, work locations, banking, and food and other shopping. Other programs provided training on ridership for shopping and work-related travel, such as social services, health and wellness centers, and local employment commission. Based on these actions' ridership by LEP persons has not increased. Use of multilingual signage satisfies most scenarios. These actions and resources are important to allow LEP persons equal opportunity to mainstream living.

PAT assessed its available resources that could be used for providing LEP assistance. This included identifying translation companies for signage, news media to provide route information. After analyzing these four areas, PAT developed the plan outlined in the following section for assisting persons of limited English proficiency.

LIMITED ENGLISH PROFICIENCY PLAN OUTLINE

Below are tools to help identify persons who may need language assistance:

- ✓ All transit vehicles carry Title VI notification signage in Spanish.
- ✓ A PAT Office is located in the area of concentration to enhance community outreach.
- ✓ Dual language staff is available.
- ✓ PAT website provides translation in many languages using Microsoft Translator.
- ✓ Conduct necessary meetings to support LEP community, i.e., continued participation in cultural fairs and information sharing meetings.

Language Assistance Measures

PAT employs language assistance measures to assist local and traveling persons as mentioned above in the LEP proficiency plan.

PAT Staff Training

All PAT staff will be provided with the LEP Plan and educated on procedures to follow. This information will also be part of the PAT staff orientation process for new hires.

Outreach Techniques

PAT employs outreach techniques using the following options when and/or if the need arises for LEP outreach:

- ✓ If staff knows that they will present a topic that could be of potential importance to an LEP person, or its' staff will be hosting a meeting or a
- ✓ workshop in a geographic location with a known concentration of LEP persons, meeting, notices, fliers, advertisements, and agendas will be printed in an alternative language, based on known LEP population in the area.
- ✓ When holding a public meeting, staff will insert the clause, based on the LEP population and when relevant, translates into an alternative Language, a translator will be available.
- ✓ Key print materials, including bus limited to schedules and maps will be translated and made available at Petersburg Station, on board vehicles and in communities when a specific and concentrated LEP population is identified, or a request is made.

Monitoring and Updating the LEP Plan

This plan is designed to be flexible and is one that can be easily updated. At a minimum, PAT will follow the Title VI Program update schedule for the LEP Plan. However, major updates are released or when socio-political actions bring change to our attention.

Each update should examine all plan components such as:

- ✓ How many LEP persons were encountered? And were their needs met?
- ✓ What is the current LEP population in PAT service area?
- ✓ Has there been a change in the types of languages where translation services are needed?
- ✓ Is there still a need for continued language assistance for previously identified PAT programs? Are there other programs that should be included?
- ✓ Have the PAT available resources, such as technology, staff and financial costs covered?
- ✓ Has PAT fulfilled the goals of the LEP Plan? And were any complaints received?

Dissemination of PAT Limited English Proficiency Plan

PAT includes the LEP Plan with its Title VI Policy and Complaint Procedures. PAT's Notice of Rights under Title VI to the public is posted in both PAT offices, on the website at www.petersburgva.gov and on all vehicles.

Any person, including social service, non-profit, and law enforcement agencies along with other community partners with internet access will be able to access the plan.

Copies of the LEP Plan will be provided upon request, to any person(s) requesting the document via telephone, in person, by mail or email. LEP persons may obtain copies/translations of the plan upon request.

Any questions or comments regarding this plan should be directed to PAT Title VI Coordinator.

Transit Administration Program Manager
100 West Washington Street
Petersburg, Virginia 23803
Telephone - 804.733.2452 Fax - 804.733.2468
mail: gbyrd@petersburg-va.org



Charles Koonce Jr.

Director of Mass Transit

[Home](#)
[Petersburg Routes](#)
[Hopewell Route](#)
[Schedules](#)
[Hours of Operation](#)
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Notifying the Public of Rights Under Title VI

THE CITY OF PETERSBURG, VIRGINIA

The City of Petersburg, Virginia operates its programs and services without regard to race, color, and national origin in accordance with Title VI of the Civil Rights Act. Any person who believes she or he has been aggrieved by any unlawful discriminatory practice under Title VI may file a complaint with the City of Petersburg, Virginia.

For more information on the City of Petersburg, Virginia civil rights program, and the procedures to file a complaint, contact Queenie Byrd Transit Administrative Manager at (804) 733-2452, email qbyrd@petersburg-va.org or visit our administrative office at 100 West Washington Street, Petersburg, Virginia 23803.

A complainant may file a complaint directly with the Federal Transit Administration by filing a complaint with the Office of Civil Rights, Attention: Title VI Program Coordinator, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590





Charles Koonce Jr.

director de

transporte público

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Derechos civiles

GRIC

BABS

Correo electrónico

Notificación de los derechos del público bajo el Título VI

LA CIUDAD DE PETERSBURG, VIRGINIA

- La ciudad de Petersburg, Virginia opera sus programas y servicios sin importar raza, color y origen nacional de acuerdo al Título VI del Acto de Derecho Civil. Cualquier persona que crea que el o ella ha sido agraviada por alguna práctica ilegal discriminatoria bajo el Título VI puede llenar una queja a la Ciudad de Petersburg, Virginia.

- Para mas información del programa de los Derechos Civiles de la Ciudad de Petersburg y los procedimientos de llenar quejas, contacte a Queenie Byrd Gerente Administrativo de Tránsito al (804) 733-2452, email qbyrd@petersburg-va.org o visite nuestra oficina administrativa en 100 West Washington Street, Petersburg, Virginia 23803.

- Una queja puede ser llenada directamente con la Administración Federal de Tránsito, llenando la queja con la oficina de derechos Civiles, Atencion: Coordinator del Programa del Título VI, East Building, 5th Floor-TCR, 1200 New Jersey Ave., SE, Washington, DC 20590



WHEREAS, the Federal Transit Administration recommended adoption of a standardized program for reporting and adherence to Title 49 of the Code of Federal Regulations.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Petersburg, that the Petersburg Area Transit Title VI Program is established as the City standard for operation citing that:

Petersburg Area Transit, in accordance with the Title VI of the Civil Rights Act of 1964, 78 Stat, 252 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federal-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders/proposers that it will affirmatively insure that in any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in response to the invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

Adopted by the Council of Petersburg, Virginia this day of

Samuel Parham, Mayor

ATTEST:

Nykesha D. Jackson, Clerk of Council

**A RESOLUTION ADOPTING THE PETERSBURG
AREA TRANSIT TITLE VI PROGRAM.**

WHEREAS, the City Council of the City of Petersburg, Virginia does hereby find as follows:

WHEREAS, the Management in Petersburg Area Transit (“PAT”), directed by the Petersburg City Manager through the agreement with the Federal Transit Administration to develop and administer a Title VI Civil Rights Program, which would provide a consistent approach for 49 CFR and the Federal Transit Administration to work together more effectively and efficiently to ensure equal opportunity to all who are impacted by funding provided to PAT as a funding recipient; and

WHEREAS, the collective input and guidance from City Council has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive Title VI Program; and

WHEREAS, it is necessary and desirable that all City agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of equal opportunity; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical to utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, uniform personnel and contract qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities for reporting complaints; and

WHEREAS, the Title VI procedures for managing personnel, communications, local services, maintain equitable programs, and streamline incident management processes.

WHEREAS, the Petersburg Area Transit components of Title VI Program are already an integral part of various city management activities, including transit services, and public participation; and



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Nykesha Lucas

RE: **Consideration of appointment to the Brightpoint Community College Board of Directors.
(Page 149)**

PURPOSE: To consider appointment to the Brightpoint Community College Board.

REASON: There is currently a vacancy on the Brightpoint Community College Board of Directors.

RECOMMENDATION: Recommend that City Council make an appointment to Brightpoint Community College Board of Directors and also to approve resolution with appointee name.

BACKGROUND: The Brightpoint Community College Board of Directors consists of 18 members from the participating jurisdictions of the Cities of Colonial Heights, Hopewell, Petersburg, and Richmond and the Counties of Amelia, Charles City, Chesterfield, Dinwiddie, Prince George, Surry, and Sussex. Petersburg is allocated two (2) representatives.

The duties of the Board include, but are not limited to, the following: serve as liaison agency between the State Board and the governing bodies of local political subdivisions, promote the development of a program of community college education of high quality under the administration and supervision of the State Board of Community College, solicit community participation in program planning and development, and review and approve the regular annual and biennium budgets for the community college. Members of the Board should be acquainted with the need for technical education.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 9/20/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES:

AFFECTED AGENCIES:

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION:

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. Resolution for Brightpoint
2. Brightpoint Community College Board of Directors 2022

**A RESOLUTION APPOINTING _____ TO THE
BRIGHTPOINT COMMUNITY COLLEGE BOARD OF
DIRECTORS FOR A TERM ENDING JUNE 30, 2025.**

BE IT RESOLVED, by the City Council of the City of Petersburg, that it hereby
appoints _____ to the Brightpoint Community College Board of Directors for a
term ending June 30, 2025.

Resolution _____
Adopted by the City of Petersburg
Council of the City of Petersburg on:

Clerk of City Council

	BRIGHTPOINT COMMUNITY COLLEGE BOARD OF DIRECTORS			
	Number of members: 2			
TERMS	APPOINTMENTS	WARDS	NEW APPLICANTS	WARDS
05/18/21 - 06/30/25	Kenneth L. Pritchett, 1912 Matoax Avenue	Ward 3	Karen D. Bland, 3400 East Princeton Road	Ward 7
05/18/21 - 06/30/25		Ward 5	Samuel L. Batts, 418 Greenwood Drive	Ward 3
			Robert L. Gosciwski, 1808 Berkeley Avenue	Ward 3
			Belinda Todd, 1665 Johnson Road	Ward 3
	AUTHORITY:		Leslie Speight, 1015 Gustavo Lane	Ward 3
	Code of Virginia, Chapter 16, Section 23-220, City Council Resolution #4966 - 7/26/64		Bernard J. Lundy, Jr, 1400 Weaver Avenue	Ward 6
	MEETING DATE AND TIME:			
	Bi-monthly beginning in January, 3:00p.m. at John Tyler Community College.		COMPOSITION:	
			Eighteen (18) members from participating jurisdictions: Cities of Hopewell, Richmond, & County of chesterfield, three (3) representatives each; Petersburg two (2) representatives; Colonial Heights and the Counties of amelia, charles City, Dinwiddie, Prince George, Surry and Sussex, one (1) representative each.	
	STAFF LIAISON:		TERMS:	
	Dr. Ted Raspiller, President		Four (4) staggered terms; limited to two successive four-year terms.	
	John Tyler Community College			
	Chester, VA 23832			
	(804) 594-1578			



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Nykesha Lucas

RE: **Consideration of an appointment to the Petersburg Redevelopment and Housing Authority. (Page 154)**

PURPOSE: To consider appointment/reappointment to the Petersburg Redevelopment and Housing Authority.

REASON: There is currently a vacancy on the board.

RECOMMENDATION: Recommend City Council make an appointment to the Petersburg Redevelopment and Housing Authority and approve the resolution with new member name.

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: 9/20/2022

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
2. PRHA

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				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	Angela Dance, 1617 Drury Road	Ward 7
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)					

**A RESOLUTION APPOINTING _____ TO THE
PETERSBURG REDEVELOPMENT AND HOUSING
AUTHORITY FOR A TERM ENDING SEPTEMBER 30,
2025.**

BE IT RESOLVED, by the City Council of the City of Petersburg, that it hereby
appoint _____, with a term ending September 30, 2025 to the Petersburg
Redevelopment and Housing Authority.

Resolution _____
Adopted by the City of Petersburg
Council of the City of Petersburg on:

Clerk of City Council



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Nykesha Lucas

RE: **Consideration of appointment to the Riverside Regional Jail Authority. (Page 159)**

PURPOSE: To make an appointment to the Riverside Regional Jail Authority.

REASON: Need to appoint the new city manager as primary to the authority and the police chief as the alternate.

RECOMMENDATION: Recommend City Council appoint John March Altman, Jr, City Manager, as the primary member and Police Chief, Travis Christian, as the alternate to the Riverside Regional Jail Authority.

BACKGROUND: The Riverside Regional Jail Authority Board is a seven-member regional jail that oversees the regional jail facility serving the localities of Counties of Charles City, Chesterfield, Prince George and Surry and the Cities of Colonial Heights, Hopewell and Petersburg. The City has one member and one alternate to serve on the board.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 9/20/2022

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. Riverside Regional Jail Authority 2021
2. riverside

RIVERSIDE REGIONAL JAIL AUTHORITY			
TERMS	APPOINTMENTS	APPOINTED	
10/16/18 - 06/30/22			
10/16/18 - 06/30/22	Travis C. Christian, alternate		
	Chairman: Dr. Edwin Daley		
	AUTHORITY:		COMPOSITION:
	City Council Resolution #90-81 adopted 6/5/90		Manager or Administrator of each participating jurisdiction
	TERMS:		DUTIES:
	Four Years		The purpose of this Authority is to operate and maintain the jail in accordance with the provisions of Chapter 726 of the 1990 Acts of the General Assembly of Virginia.

**A RESOLUTION APPOINTING JOHN MARCH ALTMAN,
JR, CITY MANAGER, AS PRIMARY AND POLICE CHIEF
TRAVIS CHRISTIAN. AS ALTERNATE MEMBER WITH A
TERM ENDING JUNE 30, 2026, TO THE RIVERSIDE
REGIONAL JAIL AUTHORITY BOARD.**

BE IT RESOLVED, by the City Council of the City of Petersburg, that it hereby appoints John March Altman, Jr., City Manager, as the primary and Police Chief Travis Christian, as alternate member with a term ending June 30, 2026, to the Riverside Regional Jail Authority Board.

Resolution _____
Adopted by the City of Petersburg
Council of the City of Petersburg on:

Clerk of City Council



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Nykesha Lucas

RE: **Consideration of appointment and reappointment to the Crater Youth Care Commission Board. (Page 164)**

PURPOSE: To make appointment and reappointment to the Crater Youth Care Commission Board

REASON: The new City Manager needs to be appointed to the board. Also, there is a vacancy on the board as well.

RECOMMENDATION: Recommend that City Council appoint John March Altman, Jr. to the Crater Youth Care Commission Board.

BACKGROUND: The Crater Youth Care Commission was officially formed in 1972 to supervise and operate a Secure Detention Facility and admitted the first residents on September 16, 1975. The Commission consists of the chief administrative official from each jurisdiction.

The Crater Youth Care Commission's mission is to: provide services and learning experiences within a psychologically and physically safe and secure environment, which will encourage youth to achieve lifestyles that are consistent with their personal needs, value systems, the laws of the Commonwealth of Virginia and in the interest of public safety.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 9/20/2022

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. Crater Youth Care Commission (Detention Home) 2021
2. youth commission

CRATER YOUTH CARE COMMISSION (DETENTION HOME)			
Number of members: 2			
TERMS	APPOINTMENTS		
03/06/18-03/31/2022			
03/06/18-03/31/2022			
	AUTHORITY:		TERMS:
	City Council Resolution #6586 adopted 10/19/71 and concurrent resolutions of the Counties of Prince George, Dinwiddie, Surry and Sussex, and the Cities of Hopewell and Emporia.		Two (2) years
	COMPOSITION:		DUTIES:
	City Managers and County Administrators from each participating jurisdiction and one (1) other person mutually interested in the Detention Center and have direct liaison with the appointing governmental unit.		The policy making body for Crater Juvenile Detention Center. The appointees are to report at least annually to their respective political subdivisions on the operations of the facility.
	STAFF LIAISON:		MEETING DATE AND TIMES:
	Jack Scott, Executive Director		Every other month, 3rd Friday, 9:30am
	Crater Youth Care Commission (detention home)		
	6102 County Drive		
	Disputanta, VA 23842		
	(804) 732-4031		

**A RESOLUTION APPOINTING JOHN MARCH
ALTMAN, JR. TO THE CRATER YOUTH CARE
COMMISSION BOARD WITH A TERM EXPIRING
MARCH 31, 2024.**

BE IT RESOLVED, by the City Council of the City of Petersburg, that it hereby appoints John March Altman, Jr. to the Crater Youth Care Commission Board with a term expiring March 31, 2024.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Travis Christian, Police Chief
March Altman, Jr., City Manager

FROM: Genevieve Lohr

RE: Consideration of the appropriation of the FY23 Gun Violence Intervention Program Grant for \$190,000 - 2nd reading (Page 168)

PURPOSE: To consider the appropriation of the FY23 Gun Violence Intervention Program Grant for \$190,000 - 1st read

REASON: These are the funds awarded to the City of Petersburg Police Department and issued by the Commonwealth of Virginia Department of Criminal Justice Services.

RECOMMENDATION: Recommend that Council approve the appropriation ordinance of the FY23 Gun Violence Intervention Grant for \$190,000.

BACKGROUND: The City of Petersburg has been awarded a grant from the Commonwealth of Virginia Department of Criminal Justice Services for the FY23 Gun Violence Intervention Grant in the amount of \$190,000.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: \$190,000

CITY COUNCIL HEARING DATE: 9/20/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City of Petersburg Police Department

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Gun Violence Intervention Grant
2. CBGVI SOGA

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023
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, 2022, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2024.

Previously adopted	\$0.00
---------------------------	---------------

ADD: 2023 Gun Violence Intervention Grant	<u>\$190,000</u>
--	-------------------------

Total Revenues	<u>\$190,000</u>
-----------------------	-------------------------

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2022, and ending June 30, 2024, the following sums for the purposes mentioned:

Previously adopted	\$0.00
---------------------------	---------------

ADD: Other Operating Supplies	<u>\$190,000</u>
--------------------------------------	-------------------------

Total Expenses	<u>\$190,000</u>
-----------------------	-------------------------



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

The Honorable Jackson H. Miller
Director

Tracy Louise Winn Banks, Esq.
Chief Deputy Director

Washington Building
1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
www.dcjs.virginia.gov

June 30, 2022

Kenneth Miller
Interim City Manager
135 N Union Street
Petersburg, Virginia 23803

RE: Petersburg CBGVI

Dear Kenneth Miller:

Congratulations on being a recipient of the above referenced grant program! Your DCJS grant award number is **495826** and was approved for a total award of **\$190,000**, funded through Award Number **21.027 (2022 ARPA)**. The project period is **7/1/2022** through **6/30/2024**.

Included with this letter is a Statement of Grant Award/Acceptance (SOGA). Please note hard copies of the General Special Conditions, as well as the Reporting Requirements and Projected Due Dates, are now referred to as **Conditions and Requirements** and will be posted online at <https://www.dcjs.virginia.gov/grants/grant-requirements> within the next two weeks.

In addition to the general Special Conditions, there may be grant specific Special Conditions related to your Grant Award called Encumbrances. If there are any, please submit documents related to your Encumbrances via the On-line Grants Management System (OGMS) at <https://ogms.dcjs.virginia.gov/>. If you have not previously done so, you must register in order to use this web-based system. The instructions on *Registering for a New Account* and *Submitting Action Item Encumbrances* are posted here <https://www.dcjs.virginia.gov/grants/ogms-training-resources> along with other resources and training videos. All registrants will be approved within 3 – 5 business days.

We will be happy to assist you in any way we can to assure your project's success. To indicate your acceptance of the award and conditions, please sign the included SOGA and return it electronically within the next 60 days to grantsmgmt@dcjs.virginia.gov. If you have questions, contact your DCJS Grant Monitor **Gregory Hopkins** at gregory.hopkins@dcjs.virginia.gov or via email at **(804) 239-5309**.

Sincerely,

A handwritten signature in black ink, appearing to read "Jackson Miller".

Jackson Miller

STATEMENT OF GRANT AWARD (SOGA)

Virginia Department of Criminal Justice Services
1100 Bank Street, 12th Floor
Richmond, Virginia 23219

Community-Based Gun Violence Intervention Program

Subgrantee: Petersburg
DCJS Grant Number: 495826 UEI Number: YS41NNRLGL78
Grant Start Date: 7/1/2022 Grant End Date: 6/30/2024
Federal Grant Number: 21.027 (2022 ARPA)
Federal Awardee: U.S. Dept. of Treasury
Federal Catalog Number: 21.027
Project Description: Coronavirus State and Local Fiscal Recovery Funds
Federal Start Date: 3/3/2021

Federal Funds: **\$190,000**
State General Funds:
State Special Funds:
Local Match: _____

Total Budget: **\$190,000** Indirect Cost Rate: _____% *If applicable

Project Director	Project Administrator	Finance Officer
Genevieve Lohr Social Worker 37 E Tabb Street Petersburg, Virginia 23803 804-203-4419 glohr@petersburg-va.org	Kenneth Miller Interim City Manager 135 N Union Street Petersburg, Virginia 23803 804-733-2301 kmiller@petersburg-va.org	Stacey Jordan Chief Finance Officer 144 N Sycamore Street Petersburg, Virginia 23803 804-733-2432 sjordan@petersburg-va.org

***Please indicate your ICR in the space provided, if applicable.** As the duly authorized representative, the undersigned, having received the Statement of Grant Awards (SOGA) and reviewing the Special Conditions, hereby accepts this grant and agree to the conditions and provisions of all other Federal and State laws and rules and regulations that apply to this award.

Signature: _____
Authorized Official (Project Administrator)

Title: _____

Date: _____



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Wayne Crocker, Director of Library
March Altman, Jr., City Manager

FROM: Tamara Johnson

RE: Consideration of the appropriation of the Virginia Commission for the Arts Grant in the amount of \$4,500 - 2nd Reading (Page 173)

PURPOSE: To provide funds to support two local arts organizations - The Petersburg Symphony Orchestra and The Petersburg Area Art League

REASON: The Virginia Commission for the Arts has awarded the City of Petersburg a *Creative Communities Partnership Grant* in the amount of \$4,500.00. These funds will be used to support The Petersburg Area Art League and The Petersburg Symphony Orchestra. With the City's match, a total of \$9,000.00 will be available to these organizations with The Petersburg Symphony Orchestra receiving a total of \$4,500.00 and The Petersburg Area Art League receiving a total of \$4,500.00.

RECOMMENDATION: Recommend City Council approve the appropriation ordinance.

BACKGROUND: The Petersburg Area Art League fosters and conducts many forms of art programs in the City. The Petersburg Symphony Orchestra has provided musical performances to not only the City of Petersburg, but to the greater Southside Virginia region for over 35 years.

COST TO CITY: \$4,500

BUDGETED ITEM: Yes

REVENUE TO CITY: \$4,500

CITY COUNCIL HEARING DATE: 9/20/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Library Services

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. FY23 VCA Ordinance
2. Award Letter

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023
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, 2022, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2024.

Previously adopted	\$0.00
ADD: Virginia Commission for the Arts Grant	<u>\$4,500</u>
Total Revenues	<u>\$4,500</u>

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2022, and ending June 30, 2023, the following sums for the purposes mentioned:

Previously adopted	\$0.00
ADD: Virginia Commission for the Arts Grant	<u>\$4,500</u>
Total Expenses	<u>\$4,500</u>



COMMONWEALTH of VIRGINIA

COMMISSION FOR THE ARTS
MAIN STREET CENTRE
600 EAST MAIN STREET, SUITE 330
RICHMOND, VIRGINIA 23219

JANET STARKE
EXECUTIVE DIRECTOR

BOARD/COMMISSION MEMBERS

CHAIR
ASA JACKSON
NEWPORT NEWS

VICE CHAIR
DENA JENNINGS, D.O.
ORANGE

SECRETARY
TERRY EMORY BUNTROCK
WILLIAMSBURG

FRAZIER MILLNER
ARNSTRONG
RICHMOND

LATASHA DO'ZIA
STEPHENS CITY

ROBERT GOUDIE
RESTON

MICHAEL MARKLEY
REMINGTON

SUSHMITA MAZUMDAR
ARLINGTON

JAN P. MONROE
FREDERICKSBURG

LAURIE NAISMITH
NORFOLK

BARBARA PARKER
COLLINSVILLE

AMANDA PILLION
ABINGDON

DAVID B. TRINKLE, M.D.
ROANOKE

July 7, 2022

Kenneth Miller, Interim City Manager
City of Petersburg
135 N Union Street, # 202
Petersburg, VA 23803

Grant I.D. #: 23-0389 Creative Communities Partnership Grant: \$4,500
Federal I.D. #: 54-6001502 Vendor I.D. #:

Dear Mr. Miller:

We are pleased to inform you that the Virginia Commission for the Arts has awarded your locality a Creative Communities Partnership Grant for the period of July 1, 2022 - June 30, 2023 in the amount referenced above, for art(s) organizations listed in your FY2023 application.

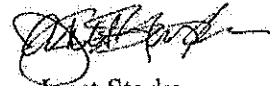
Your signature on the Certification of Assurances in the application indicated your agreement to the grant conditions. Any changes in the distribution of either the local or state funds **must** be reported to the Commission in advance of disbursement. All published materials and announcements about your local re-granting program must acknowledge that the program is partially supported by the Virginia Commission for the Arts. **To download the Virginia Commission for the Arts logo**, visit our website www.arts.virginia.gov.

In order to release the funds, the Commission must receive online confirmation that your local government has fulfilled the matching requirement no later than **February 1, 2023**. The requirement is met through an appropriation of 2022-2023 local tax revenues for arts organizations, matching or exceeding the amount of the grant. **Online reporting must include a list of the organizations that received funding, and description of the total Commission's AND local government match awarded to each organization.** This confirmation must take the form of the appropriate page of your jurisdiction's approved FY2023 budget **AND** a copy of the check(s) to the sub-grantee(s). Your confirmation should refer to the total actual dollar amounts awarded to the arts organization(s). Final report/confirmation forms can be found on your organization's "Dashboard" in Foundant (the Commission's online grants portal).

NOTE: All awardees must have a Unique Entity Identifier (UEI) and complete a revised VA-W-9 form before the match can be made. The REVISED VAW-9 form can be found on your Dashboard under FY23 CCPG Follow-ups. Finally, localities that receive more than \$750,000 in federal funding will be requested to submit their annual audit to the VCA.

The Commission is grateful for your contribution in making high quality arts activities available to the citizens of Virginia. Please accept our best wishes for your continued success.

Sincerely,

A handwritten signature in black ink, appearing to read 'Janet Starke', with a long horizontal flourish extending to the right.

Janet Starke
Executive Director

Sub-grantee(s):
Petersburg Area Art League (PAAL)
Petersburg Symphony Orchestra (PSO)



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Travis Christian, Police Chief
March Altman, Jr., City Manager

FROM: Genevieve Lohr

RE: Consideration of an appropriation for the FY23 SRO-SRO Grant in the amount of \$211,428 - 2nd Reading (Page 178)

PURPOSE: To appropriate the SRO School Resource Officer Grant in the amount of \$211,428.

REASON: These are the funds awarded to the City of Petersburg Department of Police and issued by the Commonwealth of Virginia Department of Criminal Justice Services.

RECOMMENDATION: Recommend that Council approve the appropriation ordinance of the FY23 SRO School Resource Officer Grant for \$211,428.

BACKGROUND: The City of Petersburg Department of Police has been awarded a grant from the Commonwealth of Virginia Department of Criminal Justice Services for the FY23 SRO School Resource Officer Grant in the amount of \$211,428.

COST TO CITY: There is no monetary cost to the City. This is a reimbursement grant.

BUDGETED ITEM: N/A

REVENUE TO CITY: \$211,428

CITY COUNCIL HEARING DATE: 9/20/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City of Petersburg Department of Police

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS:

ATTACHMENTS:

1. SRO Grant Ordinance
2. SRO 23-238-A Petersburg

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023
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, 2022, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2023.

Previously adopted	\$0.00
---------------------------	---------------

ADD: FY23 SRO School Resource Officer Grant	<u>\$211,428</u>
--	-------------------------

Total Revenues	<u>\$211,428</u>
-----------------------	-------------------------

II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2022 and ending June 30, 2023, the following sums for the purposes mentioned:

Previously adopted	\$0.00
---------------------------	---------------

ADD: Other Operating Supplies	<u>\$211,428</u>
--------------------------------------	-------------------------

Total Expenses	<u>\$211,428</u>
-----------------------	-------------------------



COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

The Honorable Jackson H. Miller
Director

Tracy Louise Winn Banks, Esq.
Chief Deputy Director

Washington Building
1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
www.dcjs.virginia.gov

August 18, 2022

Kenneth Miller
Interim City Manager
135 North Union Street
Petersburg, Virginia 23803

RE: FY23-SRO-SRO Grant Program and Fund: Petersburg City FY23

Dear Kenneth Miller:

Congratulations on being a recipient of the above referenced grant program! Your DCJS grant award number is **23-238-A** and was approved for a total award of **\$211,428**, funded through Award Number **2023-FREE-GRANT**. The project period is **7/1/2022** through **6/30/2023**.

Included with this letter is a Statement of Grant Award/Acceptance (SOGA). Please note hard copies of the General Special Conditions, as well as the Reporting Requirements and Projected Due Dates, are now referred to as **Conditions and Requirements** and will be posted online at <https://www.dcjs.virginia.gov/grants/grant-requirements> within the next two weeks.

In addition to the general Special Conditions, there may be grant specific Special Conditions related to your Grant Award called Encumbrances. If there are any, you are required to adhere to these conditions via the On-line Grants Management System (OGMS) at <https://ogms.dcjs.virginia.gov/>. If you have not previously done so, you must register in order to use this web-based system. The instructions on *Registering for a New Account* and *Submitting Action Item Encumbrances* are posted here <https://www.dcjs.virginia.gov/grants/ogms-training-resources> along with other resources and training videos. All registrants will be approved within 3 – 5 business days.

We will be happy to assist you in any way we can to assure your project's success. To indicate your acceptance of the award and conditions, please sign the included SOGA and return it electronically within the next 60 days to grantsmgmt@dcjs.virginia.gov. If you have questions, contact your DCJS Grant Monitor **Michelle Miles** at Michelle.Miles@dcjs.virginia.gov or via email at **804-225-1846**.

Sincerely,

A handwritten signature in black ink, appearing to read "Jackson Miller".

Jackson Miller

STATEMENT OF GRANT AWARD (SOGA)

Virginia Department of Criminal Justice Services
1100 Bank Street, 12th Floor
Richmond, Virginia 23219

FY23-SRO-SRO Grant Program and Fund

Subgrantee: Petersburg
DCJS Grant Number: 23-238-A
Grant Start Date: 7/1/2022
Grant End Date: 6/30/2023

Indirect Cost Rate: _____% ***If applicable**

Federal Funds:
State General Funds:
State Special Funds: **\$211,428**
Local Match: _____

Total Budget: **\$211,428**

Project Director	Project Administrator	Finance Officer
Dustin Sloan Admin Captain 37 East Tabb Street Petersburg, Virginia 23803 804-732-4222 dsloan@petersburg-va.org	Kenneth Miller Interim City Manager 135 North Union Street Petersburg, Virginia 23803 804-732-4222 kmiller@petersburg-va.org	Stacy Jordan Chief Financial Officer 144 N Sycamore Street Petersburg, Virginia 23803 804-733-2337 sjordan@petersburg-va.org

***Please indicate your ICR in the space provided, if applicable.** As the duly authorized representative, the undersigned, having received the Statement of Grant Awards (SOGA) and reviewing the Special Conditions, hereby accepts this grant and agree to the conditions and provisions of all other Federal and State laws and rules and regulations that apply to this award.

Signature: _____

Authorized Official (Project Administrator)

Title: _____

Date: _____



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: John Michalek

RE: **Consideration for the appropriation of the unused FY22 funds provided by the Virginia Department of Emergency Management - Emergency Management Performance Grant to the FY23 budget - \$1,717.27 - 2nd reading (Page 183)**

PURPOSE: To provide Council with the opportunity to review and approve the carryover of unused funds from the Virginia Department of Emergency Management - Emergency Management Performance Grant for fiscal year 2022 to the fiscal year 2023 budget in the amount of \$1,717.27.

REASON: The Emergency Management Performance Grant (EMPG) supports our efforts to develop and maintain a Comprehensive Emergency Management Program.

RECOMMENDATION: Recommend that Council approve the carryover of the Virginia Department of Emergency Management EMPG in the amount of \$1,717.27 and the appropriation ordinance.

BACKGROUND: The City of Petersburg received annual funding from the Virginia Department of Emergency Management. These funds are used to enhance the Emergency Management and Operations during preparedness, response, mitigation and recovery during significant incidents.

COST TO CITY: There is no monetary cost to the City

BUDGETED ITEM: This item was not a part of the adopted FY23 budget.

REVENUE TO CITY: \$1,717.27.

CITY COUNCIL HEARING DATE: 9/20/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: None

AFFECTED AGENCIES: All City Agencies.

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: None

REQUIRED CHANGES TO WORK PROGRAMS: None

ATTACHMENTS:

1. 2023 LEMPG Reappropriation carryover to Council
2. FY23 LEMPG Re-appropriation Sheet



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 19, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: John March Altman, City Manager

FROM: Tina R. Watkins – Fire Chief
J. Kevin Michalek – Division Chief

RE: **Virginia Department of Emergency Management – Emergency Management Performance Grant carryover funds from FY22 to FY23 Budget**

PURPOSE: To provide Council with the opportunity to review and approve the carryover of unused funds from the Virginia Department of Emergency Management - Emergency Management Performance Grant for fiscal year 2022 to the fiscal year 2023 budget in the amount of \$1,717.27.

REASON: The Emergency Management Performance Grant (EMPG) supports our efforts to develop and maintain a Comprehensive Emergency Management Program.

RECOMMENDATION: Recommend that Council approve the carryover of the Virginia Department of Emergency Management EMPG in the amount of \$1,717.27.

BACKGROUND: The City of Petersburg received annual funding from the Virginia Department of Emergency Management. These funds are used to enhance the Emergency Management and Operations during preparedness, response, mitigation and recovery during significant incidents.

COST TO CITY: There is no monetary cost to the City.

BUDGETED ITEM: This item was not a part of the adopted FY23 budget.

REVENUE TO CITY: \$1,717.27.

CITY COUNCIL HEARING DATE: September 6, 2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: None

AFFECTED AGENCIES: All City Agencies

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: None

REQUIRED CHANGES TO WORK PROGRAMS: None

ATTACHMENTS: An appropriation ordinance in the amount of \$1,717.27.

STAFF: EOC Staff and Department of Fire, Rescue and Emergency Services.

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023
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, 2022, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2023.

Previously adopted	\$0.00
ADD: VDEM – Emergency Management Performance Grant (LEMPG) (3-200-024040-0615-0-208)	<u>\$1,717.27</u>
Total Revenues	<u>\$1,717.27</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 adopted	\$0.00
ADD: VDEM – Emergency Management Performance Grant (LEMPG) (4-200-032102-3190-0-208)	<u>\$1,717.27</u>
Total Expenses	<u>\$1,717.27</u>



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: John Michalek

RE: **Consideration for the appropriation of the unused FY22 funds provided by the Virginia Department of Fire Programs – Aid to Locality to the FY23 budget in the amount of \$96,735.31. - 2nd Reading (Page 188)**

PURPOSE: To request City Council to appropriate unspent Fire Programs funds from FY2022 to FY2023 Department of Fire, Rescue and Emergency Services' budget. Unspent funds must remain available for stipulated usage as established by The Commonwealth of Virginia under the Code of Virginia, Section §38.2-401.

REASON: The Department of Fire, Rescue and Emergency Services receives funding annually to provide additional assistance beyond budgetary means for firefighter training and firefighting equipment.

RECOMMENDATION: Recommend that City Council appropriate the appropriation ordinance and carryover amount of \$96,735.31 from the Virginia Department of Fire Programs – Aid to Localities (ATL) from the FY2022 to the FY2023 budget of the Department of Fire, Rescue and Emergency Services.

BACKGROUND: The City of Petersburg receives the Fire Programs Fund - Aid to Localities grant annually. These funds are currently programmed for purchasing new Personal Protective Equipment, Fire Hose and other related equipment.

COST TO CITY: No Cost to City.

BUDGETED ITEM: This item was not a part of the adopted FY23 budget.

REVENUE TO CITY: \$96,735.31

CITY COUNCIL HEARING DATE: 9/20/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: None

AFFECTED AGENCIES: Department of Fire, Rescue and Emergency Services.

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: None

REQUIRED CHANGES TO WORK PROGRAMS: None

ATTACHMENTS:

1. FY23 Reappropriation of ATL Funds
2. Code of Virginia 38.2-401 Fire Programs
3. FY23 Appropriation Ordinance



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 19, 2022

TO: The Honorable Mayor and Members of the City Council

THROUGH: John March Altman - City Manager

FROM: Tina R. Watkins – Fire Chief
Kevin Michalek – Division Chief

RE: **Consideration of FY2022 carryover (\$96,735.31) of Virginia Department of Fire Programs Fund - Aid to Localities funds.**

PURPOSE: To request City Council to appropriate unspent Fire Programs funds from FY2022 to FY2023 Department of Fire, Rescue and Emergency Services' budget. Unspent funds must remain available for stipulated usage as established by The Commonwealth of Virginia under the Code of Virginia, Section §38.2-401.

REASON: The Department of Fire, Rescue and Emergency Services receives funding annually to provide additional assistance beyond budgetary means for firefighter training and firefighting equipment.

RECOMMENDATION: Recommend that City Council appropriate the carryover amount of \$96,735.31 from the Virginia Department of Fire Programs – Aid to Localities (ATL) from the FY2022 to the FY2023 budget of the Department of Fire, Rescue and Emergency Services.

BACKGROUND: The City of Petersburg receives the Fire Programs Fund - Aid to Localities grant annually. These funds are currently programmed for purchasing new Personal Protective Equipment, Fire Hose and other related equipment.

COST TO CITY: No Cost to City

BUDGETED ITEM: N/A (Grant)

REVENUE TO CITY: \$96,735.31

CITY COUNCIL HEARING DATE: September 6, 2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: None

AFFECTED AGENCIES: Department of Fire, Rescue and Emergency Services.

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: None.

REQUIRED CHANGES TO WORK PROGRAMS: None

ATTACHMENTS: City Ordinance Sheet. Code of Virginia §38.2-401.

STAFF: N/A

§ 38.2-401. Fire Programs Fund.

A. 1. There is hereby established in the state treasury a special nonreverting fund to be known as the Fire Programs Fund, hereinafter referred to as "the Fund." The Fund shall be administered by the Department of Fire Programs under policies and definitions established by the Virginia Fire Services Board. All moneys collected pursuant to the assessment made by the Commission pursuant to subdivision 2 of this subsection shall be paid into the state treasury and credited to the Fund. The Fund shall also consist of any moneys appropriated thereto by the General Assembly and any grants or other moneys received by the Virginia Fire Services Board or Department of Fire Programs for the purposes set forth in this section. Any moneys deposited to or remaining in such Fund during or at the end of each fiscal year or biennium, including interest thereon, shall not revert to the general fund but shall remain in the Fund. Interest earned on all moneys in the Fund and interest earned on moneys held by the Commission pursuant to subdivision 2 of this subsection prior to the deposit of such moneys into the Fund, including interest earned on such moneys during any period when the Commission is reconciling payments from insurers, shall remain in or be deposited into the Fund, as the case may be, and be credited to it. Such interest shall be set aside for fire service purposes in accordance with policies developed by the Virginia Fire Services Board. Notwithstanding any other provision of law to the contrary, policies established by the Virginia Fire Services Board for the administration of the Fund, and any grants provided from the Fund, that are not inconsistent with the purposes set out in this section shall be binding upon any locality that accepts such funds or related grants. The Commission shall be reimbursed from the Fund for all expenses necessary for the administration of this section. The balance of moneys in the Fund shall be allocated periodically as provided in this section. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Executive Director of the Department of Fire Programs (Director) or his designee.

2. The Commission shall annually assess against all licensed insurance companies doing business in the Commonwealth by writing any type of insurance as defined in §§ 38.2-110, 38.2-111, 38.2-126, 38.2-130 and 38.2-131 and those combination policies as defined in § 38.2-1921 that contain insurance as defined in §§ 38.2-110, 38.2-111 and 38.2-126, an assessment in the amount of one percent of the total direct gross premium income for such insurance. Such assessment shall be apportioned, assessed and paid as prescribed by § 38.2-403. In any year in which a company has no direct gross premium income or in which its direct gross premium income is insufficient to produce at the rate of assessment prescribed by law an amount equal to or in excess of \$100, there shall be so apportioned and assessed against such company a contribution of \$100.

B. After reserving funds for the Fire Services Grant Program and Dry Fire Hydrant Grant Program pursuant to subsection D, 75 percent of the remaining moneys available for allocation from the Fund shall be allocated to the several counties, cities, and towns of the Commonwealth providing fire service operations to be used for the improvement of volunteer and career fire services in each of the receiving localities. Funds allocated to the counties, cities, and towns pursuant to this subsection shall not be used directly or indirectly to supplant or replace any other funds appropriated by the counties, cities, and towns for fire service operations. Such funds shall be used solely for the purposes of (i) training volunteer or career firefighting personnel in each of

the receiving localities; (ii) funding fire prevention and public safety education programs; (iii) constructing, improving, and expanding regional or local fire service training facilities; (iv) purchasing emergency medical care and equipment for fire personnel; (v) payment of personnel costs related to fire and medical training for fire personnel; (vi) purchasing personal protective equipment, vehicles, equipment, and supplies for use in the receiving locality specifically for fire service purposes; or (vii) providing training and education and purchasing products, including personal protective equipment, diesel exhaust removal systems, decontamination equipment, and commercial extractors, that are designed to reduce the incidence of cancer among firefighters. Notwithstanding any other provision of the Code, when localities use such funds to construct, improve, or expand fire service training facilities, fire-related training provided at such training facilities shall be by instructors certified or approved according to policies developed by the Virginia Fire Services Board. Distribution of this 75 percent of the Fund shall be made on the basis of population as provided for in §§ 4.1-116 and 4.1-117; however, no county or city eligible for such funds shall receive less than \$10,000, nor eligible town less than \$4,000. The Virginia Fire Services Board shall be authorized to exceed allocations of \$10,000 for eligible counties and cities and \$4,000 for eligible towns, respectively. Allocations to counties, cities, and towns receiving such allocations shall be fair and equitable as set forth in Board policy. Any increases or decreases in such allocations shall be uniform for all localities. In order to remain eligible for such funds, each receiving locality shall report annually to the Department on the use of the funds allocated to it for the previous year and shall provide a completed Fire Programs Fund Disbursement Agreement form. Each receiving locality shall be responsible for certifying the proper use of the funds. If, at the end of any annual reporting period, a satisfactory report and a completed agreement form have not been submitted by a receiving locality, any funds due to that locality for the next year shall not be retained. Such funds shall be added to the 75 percent of the Fund allocated to the counties, cities, and towns of the Commonwealth for improvement of fire services in localities.

C. The remainder of the moneys available for allocation from the Fund shall be used for (i) the purposes of carrying out the powers and duties assigned to the Department of Fire Programs under Chapter 2 (§ 9.1-200) of Title 9.1, which shall include providing funded training and administrative support services for nonfunded training to localities and (ii) the payment of the compensation and costs of expenses of the members of the Fire Services Board in performing their official duties; however, the Fund shall not be used for salaries or operating expenses associated with the Office of the State Fire Marshal.

D. The Fire Services Grant Program is hereby established and will be used as grants to provide regional fire services training facilities, to finance the Virginia Fire Incident Reporting System and to build or repair live fire training structures as determined by the Virginia Fire Services Board. Beginning January 1, 1996, \$1 million from the assessments made pursuant to this section shall be distributed each year for the Fire Services Grant Program to be used as herein provided, and \$100,000 shall be distributed annually for continuing the statewide Dry Fire Hydrant Grant Program. Moneys allocated pursuant to this subsection shall be used for the purposes stated in this subsection, and for no other purpose. All grants provided from these programs shall be administered by the Department according to the policies established by the Virginia Fire Services Board.

E. Moneys in the Fund shall not be diverted or expended for any purpose not authorized by this section.

F. The Director shall establish written standards for determining the extent to which clients outside the Commonwealth shall be financially responsible for the cost of fire and emergency services training provided by the Department of Fire Programs. Revenues generated by such training shall be retained in the Fire Programs Fund and may be used solely for providing additional funded direct training to members of Virginia's fire and emergency services.

1985, c. 545, § 38.1-44.1; 1986, cc. 60, 562; 1988, c. 336; 1995, cc. 615, 637; 1997, c. 791; 1998, cc. 166, 877; 2000, c. 820; 2001, cc. 397, 413; 2002, c. 389; 2004, c. 164; 2006, cc. 58, 322; 2007, cc. 647, 741; 2018, c. 649; 2019, c. 509.

The chapters of the acts of assembly referenced in the historical citation at the end of this section may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

**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 adopted	\$0.00
ADD: Fire Programs – Aid to Localities (ATL) (3-200-024040-0615-0-207)	<u>\$96,735.31</u>
Total Revenues	<u>\$96,735.31</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 adopted	\$0.00
ADD: Fire Programs – Aid to Localities (ATL) (4-200-032101-3190-0-207)	<u>\$96,735.31</u>
Total Expenses	<u>\$96,735.31</u>



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: John Michalek

RE: **Consideration for the appropriation of the unused Virginia Department of Emergency Management – Radiological Emergency Preparedness Grant to the FY23 Budget in the amount of \$3,949.98 - 2nd Reading (Page 196)**

PURPOSE: To provide the Council with the opportunity to review and approve the carryover of unused funds from the Virginia Department of Emergency Management – Radiological Emergency Preparedness Grant for the fiscal year 2022 to the fiscal year 2023 budget for \$3,949.98.

REASON: The Radiological Emergency Preparedness Grant (REP) supports efforts in planning and response to hazardous materials and radiological emergencies to develop and maintain a Comprehensive Emergency Management Program.

RECOMMENDATION: Recommend that Council approve the appropriation ordinance and carryover of the Virginia Department of Emergency Management REP for \$3,949.98.

BACKGROUND: The City of Petersburg received annual funding from the Virginia Department of Emergency Management. These funds are used to enhance the planning and response to radiological emergencies.

COST TO CITY: There is no monetary cost to the City.

BUDGETED ITEM: This item was not a part of the adopted FY23 budget.

REVENUE TO CITY: \$3,949.98.

CITY COUNCIL HEARING DATE: 9/20/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: None

AFFECTED AGENCIES: Department of Fire, Rescue and Emergency Services

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: None

REQUIRED CHANGES TO WORK PROGRAMS: None

ATTACHMENTS:

1. FY23 REPG Re-appropriation to Council
2. FY23 REPG Re-appropriation Sheet (1)



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: July 19, 2022

TO: The Honorable Mayor and Members of the City Council

THROUGH: John March Altman, City Manager

FROM: Tina R. Watkins – Interim Fire Chief
J. Kevin Michalek – Division Chief

RE: **Virginia Department of Emergency Management – Radiological Emergency Preparedness Grant carryover funds from FY 22 to FY 23 Budget**

PURPOSE: To provide the Council with the opportunity to review and approve the carryover of unused funds from the Virginia Department of Emergency Management – Radiological Emergency Preparedness Grant for the fiscal year 2022 to the fiscal year 2023 budget for \$3,949.98.

REASON: The Radiological Emergency Preparedness Grant (REP) supports efforts in planning and response to hazardous materials and radiological emergencies to develop and maintain a Comprehensive Emergency Management Program.

RECOMMENDATION: Recommend that Council approve the carryover of the Virginia Department of Emergency Management REP for \$3,949.98.

BACKGROUND: The City of Petersburg received annual funding from the Virginia Department of Emergency Management. These funds are used to enhance the planning and response to radiological emergencies.

COST TO CITY: There is no monetary cost to the City.

BUDGETED ITEM: This item was not a part of the adopted FY23 budget.

REVENUE TO CITY: \$3,949.98.

CITY COUNCIL HEARING DATE: September 6, 2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: None

AFFECTED AGENCIES: Department of Fire, Rescue and Emergency Services

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: None

REQUIRED CHANGES TO WORK PROGRAMS: None

ATTACHMENTS: An appropriation ordinance for \$3,949.98.

STAFF:

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023
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, 2022, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2023.

Previously adopted	\$0.00
ADD: VDEM – Radiological Emergency Preparedness Grant (LEMPG) (3-200-024040-0615-0-212)	<u>\$3,949.98</u>
Total Revenues	<u>\$3,949.98</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 adopted	\$0.00
ADD: VDEM – Emergency Management Performance Grant (LEMPG) (4-200-032104-3190-0-211)	<u>\$3,949.98</u>
Total Expenses	<u>\$3,949.98</u>



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Tangela Innis

RE: **Consideration of an Ordinance Authorizing the City Manager to execute the Extension of Lease Agreement between P & P Associates, LLC and the City of Petersburg for the property located at 3811 Corporate Road Petersburg, VA. (Page 201)**

PURPOSE: The purpose is for City Council to provide authorization for the City Manager to execute the Extension of Lease Agreement with P & P Associates, LLC, for the leased property located at 3811 Corporate Road Petersburg, VA for the period of May 31, 2022 through May 30, 2023.

REASON: The City has received the Extension of Lease Agreement for the leased property located at 3811 Corporate Road, and this ordinance authorizes the City Manager to execute the agreement for the period of May 31, 2022 through May 30, 2023.

RECOMMENDATION: City Council review and approve the attached ordinance.

BACKGROUND: The City approved the initial lease between the City and P & P Associates, LLC for the purposes of leasing the property located at 3811 Corporate Road, approximately 4,000 sq. feet. The initial term of the agreement ended May 31, 2022. This space is currently being utilized by the Human Resources Department.

COST TO CITY: \$36.00 (1 Year)

BUDGETED ITEM: Yes

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 9/20/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: Human Resources Department
Department of Public Works and Utilities

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. EXTENSION OF LEASE AGREEMENT -Option 2
2. ordinance HR

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 16th of May 2019 for the lease of certain office space, consisting of approximately 4,000 SQ’, located at 3811 Corporate Rd., Petersburg, VA as more fully described in the lease.
- B. The term of the original lease with first option expires on May 31, 2022.
- C. The Lessor and Lessee now desire to extend the Term of the Lease until May 30, 2023, at the monthly rate of \$3.00 or \$36.00 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 30, 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**

John "March" Altman Jr.

APPROVED AS TO FORM: **CITY OF PETERSBURG CITY ATTORNEY**

Anthony Williams

**AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE THE EXTENSION OF LEASE
AGREEMENT FOR LEASED PROPERTY LOCATED AT 3811 CORPORATE ROAD**

WHEREAS the City of Petersburg approved the initial commercial lease agreement for a three-year term which ended on May 31, 2022, for the property located at 3811 Corporate Road.

NOW, THEREFORE BE IT ORDAINED, by the City Council of the City of Petersburg that the City Manager is hereby authorized to execute the extension of lease agreement for the property located at 3811 Corporate Road.

BE IT FURTHER ORDAINED, by the City Council of the City of Petersburg, that the City Manager, is hereby authorized to sign such agreements and documents as necessary to complete the lease of the aforementioned property on behalf of the City.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Brian Moore

RE: **Consideration of a resolution approving the development agreement for development of 2902 Nivram Road, Petersburg, Virginia between the City of Petersburg and Terry and Cynthia Bradshaw. (Page 206)**

PURPOSE: To consider the adoption of a Resolution approving the development agreement for development of 2902 Nivram Road, Petersburg, Virginia between the city of Petersburg and Terry and Cynthia Bradshaw

REASON: This action is necessary to facilitate the process to sell City-owned property at 2902 Nivram Road

RECOMMENDATION: Staff recommends the approval of the resolution.

BACKGROUND: The City of Petersburg City Council approved 22-ORD-40 an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 2902 Nivram Road on July 19, 2022. Following a due diligence period, a Development Agreement has been drafted that requires, in consideration of the City's conveyance of the Property to Terry and Cynthia Bradshaw shall perform the redevelopment or the Property strictly in compliance with the project summary documents and in accordance with the terms in the Agreement. The project summary documents describe the intentions of The Purchaser with regard to the purchase and renovation of the property.

The Development Agreement shall be referenced as set forth fully in the deed of conveyance of the Property from the City to Terry and Cynthia Bradshaw and shall include provisions for the reverter described in the Development Agreement.

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: 9/20/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Manager, Economic Development, City Attorney

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: 22-ORD-40

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. DevAgreement2902NivramRoad
2. 2902 Nivram Road (1)
3. 2902 Nivram Road BAM edits

**RESOLUTION APPROVING THE DEVELOPMENT AGREEMENT FOR
DEVELOPMENT OF 2902 NIVRAM ROAD PETERSBURG, VIRGINIA BETWEEN
THE CITY OF PETERSBURG AND TERRY AND CYNTHIA BRADSHAW**

WHEREAS, The City of Petersburg City Council approved an Ordinance authorizing the City Manager to execute documents related to the sale of city-owned property located at 2902 Nivram Road on July 19, 2022; 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 Terry and Cynthia Bradshaw shall perform the redevelopment of the Property strictly in compliance with the project summary documents and in accordance with the terms in the Agreement; 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 Terry and Cynthia Bradshaw

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.

**DEVELOPMENT AGREEMENT FOR THE DEVELOPMENT OF VACANT
PROPERTY AT 2902 NIVRAM ROAD PETERSBURG, VIRGINIA 23803 AS
RESIDENTIAL DEVELOPMENT**

On this 20th day of September, 2022 came the parties, Terry and Cynthia Bradshaw ("Purchaser"), and the City of Petersburg, VA, a municipal corporation formed and operating under the laws of the Commonwealth of Virginia ("the City"), hereinafter collectively referred to as "the Parties," and did enter into this Development Agreement for the development of vacant property at 2902 Nivram Road 080060011 ("the Property"), Petersburg, Virginia 23803 as residential development ("the Agreement") to wit:

RECITALS

The Purchaser has presented to Petersburg City Council and the City's Administration "project summary documents" herein attached as (Exhibit A) outlining specific information regarding the project that is the subject of this Agreement, and which documents are hereby incorporated into this Agreement as if set forth fully herein.

The project summary documents describe the intentions of The Purchaser with regard to the purchase and redevelopment of the Property, the developer plan to renovate the existing structure ("the Property"). The requirements of the project summary documents are deemed by the Parties to supplement but not supplant all requirements described in this Agreement and shall be binding upon The Purchaser with regard to the development of the property.

Upon presentation of these documents to the City by The Purchaser, Petersburg City Council did authorize the sale of the Property to The Purchaser contingent upon the execution of this Development Agreement which shall be referenced in the recorded deed for the property and include a reverter requirement for noncompliance with the terms described herein.

AGREEMENT

In consideration of the City's conveyance of the Property to The Purchaser, The Purchaser shall perform the development of the Property strictly in compliance with the project summary documents and in accordance with the following terms:

- A. The Purchaser shall be solely responsible for the development of the Property in accordance with the project summary documents, and shall comply with all Code, Zoning, and other legal requirements associated with the development.
- B. The Purchaser shall be solely responsible for obtaining all applicable permits and inspections required for the development.
- C. The City makes no representations or warranties regarding the property or its development and shall be responsible only for conveyance of the Property as described herein, which is conveyed in "as is" condition with no warranties of title or condition.
- D. The period of time described in the project summary documents (six (6) months) during which The Purchaser is required to complete the development of the Property shall be known as the "Development Period."
- E. The Purchaser shall not be permitted to convey the property during the Development

Period. Upon completion of the development of the property, The Purchaser shall notify the City who shall determine compliance and upon making such determination, certify in writing completion of the development in accordance with the project summary documents. A copy of said certification shall be provided to The Purchaser. Upon such certification, this Agreement shall cease to be effective and become null and void.

F. Extensions to the time schedule described in the project summary documents will not be authorized except by the written consent of the City as approved by Petersburg City Council.

G. The failure of The Purchaser to timely comply with all requirements of the project summary documents shall be considered a material breach of this Agreement.

H. Upon material breach of this Agreement, the City shall provide The Purchaser with written Notice describing the breach. Upon receipt of written Notice of Breach, The Purchaser shall have thirty days to cure. The failure to cure the material breach within the thirty-day period shall result in default.

I. All Notices and other correspondence sent pursuant to this Agreement shall be sent to the following persons and addresses:

To the City:

City Manager (with copy to City Attorney)
135 North Union Street
Petersburg, VA 23803

Notices may be sent via Hand Delivery, Courier, First Class Mail, Certified Mail, Registered Mail or other similar standard business delivery service and shall be effective upon receipt.

J. This Agreement shall be referenced as if set forth fully in the deed of conveyance of the Property from the City to The Purchaser and shall run with the land until such time as all requirements are completed. The deed shall include provisions for the reverter described herein.

K. The "original purchase price" for the Property shall be defined as the amount paid by The Purchaser to the City to facilitate the transfer of the property thirty six thousand six hundred fifty dollars (\$36,650).

L. Upon Default by The Purchaser, the City shall retain 100% of the purchase price and shall record the Notice of Default which shall cause the Property to automatically revert to the City.

M. This Agreement shall be binding upon The Purchaser and successors in interest until such time that the obligations are concluded, and the Agreement is declared to be null and void in accordance with the terms described herein.

N. This Agreement shall be construed under the laws of the Commonwealth of Virginia. Any dispute arising from the performance or non-performance of any requirement described herein shall be litigated solely in the Circuit Court for the City of Petersburg, Virginia.

O. If any provision of this document is deemed by a Court to be contrary to applicable law, the remaining terms shall continue in full force and effect.

By signing below, the undersigned parties represent that they have the authority to bind and do hereby bind their respective entity to all terms of this Agreement.

PURCHASER

By: Terry & Cynthia Brads
Printed name: Terry & Cynthia Bradshaw

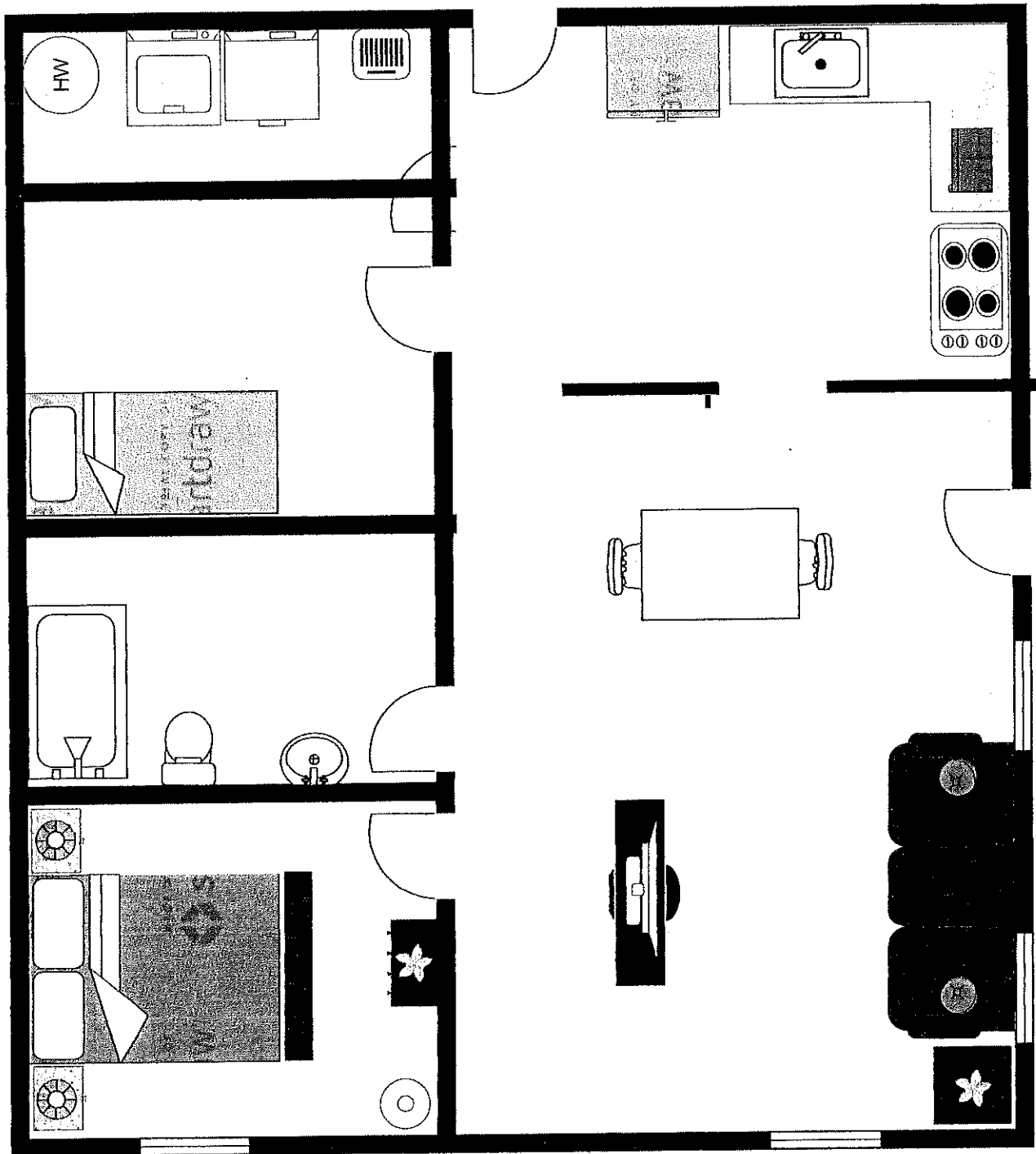
CITY OF PETERSBURG, VIRGINIA

By: _____
City Manager

Approved as to form:

By: _____
Anthony C. Williams, City Attorney

2 of 4



**Presentation for Council
2902 Nivram Road
Development Agreement Approval**



**Brian A. Moore
Director
Economic Development, Planning, and Community Development
September 20, 2022**

Review

2902 Nivram Road

- **Public Hearing conducted on July 19, 2022**
- **Approved by City Council on July 19, 2022**
- **Ordinance number- 22-ORD-40**
- **Checklist of actions completed by Applicant:**
 - **Applicant has submitted earnest deposit, and all required supporting documentation to prove their wherewithal to complete the project (financial documentation, construction timeline, construction cost)**

STATUS: Pending closing

Staff Recommendation

- A motion to approve the development agreement between the City of Petersburg and Terry and Cynthia Bradshaw for the City-owned property located at 2902 Nivram Road.
- Thank you!



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: September 20, 2022

TO: The Honorable Mayor and Members of City Council

THROUGH: Tangelia Innis, Deputy City Manager
March Altman, Jr., City Manager

FROM: Paul Johnson, Randall Williams

RE: **Consideration of an additional \$500,000 in grant funding for the Fleets Branch Stream Restoration Project – National Fish and Wildlife Foundation (NFWF)/VA Department of Environmental Quality (DEQ) Grant Funding. - 2nd Reading. (Page 216)**

PURPOSE: NFWF and DEQ have both awarded the City of Petersburg grants to absorb part of the design and construction costs for a stream restoration project on the property of Virginia State University (VSU) so that the City may benefit from the resulting pollutant reduction credits to meet 2023 Total Maximum Daily Load (TMDL) requirements set by DEQ. Both grants are reimbursement grants requiring the funds be expended by the locality and then reimbursed by NFWF and DEQ.

REASON: To appropriate the grant funds awarded to the City of Petersburg associated with the above referenced project.

RECOMMENDATION: Request Council adopt the attached appropriation ordinance in the total amount of \$500,000 for the NFWF Grant. It should be noted that additional funds in the amount of \$833,000 have already been approved and appropriated as a part of the FY 2023 Capital Budget. Those additional funds consist of American Rescue Plan Act (ARPA) funds in the amount of \$335,477 and a DEQ SLAF Grant in the amount of \$497,523.

BACKGROUND: As a Phase II Municipal Separate Storm Sewer System (MS4), the City of Petersburg is required to reduce stormwater pollutants discharged to receiving waters, known as the Total Maximum Daily Load (TMDL), as part of its MS4 General Permit administered by DEQ. These TMDL reduction requirements set by DEQ include a 40% pollutant reduction by June 30, 2023. Virginia State University, also an MS4 entity, began a stream restoration project for Fleets Branch; however, VSU did not need the additional pollutant removal credits to complete the project. On the other hand, the City of Petersburg is in significant need of pollutant removal opportunities due to the land cover, topography, and ownership challenges specific to the City. Therefore, a collaborative effort was envisioned between the two MS4's where the stream restoration project could be completed with combined financial assistance from both the NFWF Grant and Petersburg funding and the resulting pollutant removal credits would be given to Petersburg to help meet its TMDL goals.

NFWF recognized this collaborative effort, and in turn awarded \$500,000 towards the \$1,450,000 estimated cost of design and construction with the City to initially provide the remaining \$950,000 in matching funds. Subsequently, the FY 2023 Capital Budget consisted of another \$833,000 awarded (DEQ Stormwater Local Assistance Fund (SLAF) grant of \$497,523 and American Rescue Plan Act (APRA) funding in the amount of \$335,477. The remaining \$117,000 will be paid from the Stormwater Management Division funds.

COST TO CITY: \$1,450,000 (Design & Construction Costs – per Engineering Estimate)

BUDGETED ITEM: FY 2023 Capital Budget (\$833,000)

REVENUE TO CITY: \$1,333,000 (\$833,000 + \$500,000)

CITY COUNCIL HEARING DATE: 9/20/2022

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: National Fish and Wildlife Foundation (NFWF), Virginia Department of Environmental Quality (DEQ)

AFFECTED AGENCIES: Department of Public Works and Utilities

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Fleet Branch Ordinance for July 19, 2022 Meeting
2. NFWF Grant_Petersburg Award Letter

**AN ORDINANCE, AS AMENDED, SAID ORDINANCE
MAKING APPROPRIATIONS FOR THE FISCAL YEAR
COMMENCING JULY 1, 2022, AND ENDING JUNE 30, 2023
IN THE GRANTS FUND IN THE AMOUNT OF \$500,000 FOR “FLEETS BRANCH
STREAM RESTORATION PROJECT”.**

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

I. That appropriations for the fiscal year commencing July 1, 2022, in the Grants Fund are made for the following resources and revenues of the city, for the fiscal year ending June 30, 2023.

Previously adopted (ARPA \$335,477 & DEQ SLAF Grant \$497,523)	\$ 833,000
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Revenue:	
National Fish and Wildlife Foundation	<u>500,000</u>

Total Revenue	<u>\$1,333,000</u>
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II. That there shall be appropriated from the resources and revenues of the City of Petersburg for the fiscal year commencing July 1, 2022 and ending June 30, 2023, the following sums for the purposes mentioned:

Previously adopted (Capital Project Fund) (ARPA \$335,477 & \$497,523 SLAF Grant)	\$ 833,000
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Expenditures:	
National Fish and Wildlife Foundation	<u>500,000</u>

Total Expenditures	<u>\$ 1,333,000</u>
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Darryl Walker

From: easygrants@nfwf.org
Sent: Thursday, April 8, 2021 11:53 AM
To: Darryl Walker
Subject: National Fish and Wildlife Foundation Award Agreement #70001
Attachments: NFWF Subrecipient FFATA Form.docx; NFWF Vendor Setup Form 0918 with Instructions.pdf

CAUTION: External! - Do not open attachments or click links unless you know the content is safe.

Dear Darryl Walker:

We are pleased to advise you that the Board of Directors of the National Fish and Wildlife Foundation has approved an award of \$500,000.00 to your organization to support the Fleets Branch Stream Restoration (VA) project.

You can review and print your agreement by logging into Easygrants at easygrants.nfwf.org. If you have forgotten your login credentials, you can request them from the login page. The "Execute Award Agreement" task and its due date will appear on your home page. Click the "Execute Award Agreement" task link to begin.

Once an authorized representative of your organization/entity has signed and dated the agreement, return the signed copy to NFWF by scanning and emailing it to the Grant Administrator at the email address indicated in the agreement. Upon countersignature, we will email you a scanned copy of the fully executed original award agreement. Any performance or costs incurred prior to the execution of the Award Agreement are done at your organization's own risk.

In addition, note two documents attached to this email that may require your attention. First, if you have not already done so, please complete the attached NFWF New Vendor Setup Form and email it back to your Grant Administrator with the signed agreement. Note that you must include a copy of your most recent W-9 or W-8 with your New Vendor Setup Form.

Lastly, **if your award includes \$25,000 or more in federal funds**, NFWF requires additional information to satisfy the requirements of the Federal Funding Accountability and Transparency Act of 2006. Please complete, sign, and return the attached NFWF Subrecipient FFATA Form with your signed agreement.

If you have any questions regarding the agreement or attached documentation, please contact the Grants Administrator listed in the agreement.

Thank you,
National Fish and Wildlife Foundation

This e-mail message and any attached files are for the sole use of the intended recipient(s) and may contain privileged, confidential or otherwise protected from disclosure information. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. If you are not the intended recipient you are notified that disclosing, copying, distributing or taking any action in reliance on the contents of this information is strictly prohibited.