

PUBLIC HEARINGS

PH-1



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE: Public Hearing to consider an amendment to Chapter 34, Taxation, Section 34-30 (Rebate of machinery and tools tax for certain businesses located in the Enterprise Zone) of Article II (Tax on Real Estate, Machinery and Tools).

ISSUE: Amendment of the Ordinance to reflect the five year renewal of the Enterprise Zone program granted by the Commonwealth of Virginia effective January 1, 2015.

RECOMMENDATION: City Administration recommends the amendment of Chapter 34, Taxation, Section 34-30 be approved by City Council.

TIMING: City Council action is requested on May 12, 2015.

BACKGROUND: The City filed for a renewal of the Enterprise zone for five years (2015- 2020). The extension was granted by the Commonwealth of Virginia, effective January 1, 2015. The City Code needs to be updated to reflect the renewal in regards to the Tax on Real Estate and Machinery and Tools for certain businesses located in the Enterprise Zone. The amendment extends this incentive past December 31, 2015 to December 31, 2020.

FISCAL IMPACT: None

ENCLOSED DOCUMENTS: Attachment 1: Proposed Ordinance
Attachment 2: Renewal letter from Governor McAuliffe

STAFF: Thomas E. Lacheney, Interim City Attorney
Tevya W. Griffin, Director, Neighborhood Assistance & Planning

SUMMARY:

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Christina J. Luman-Bailey, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor K. Wayne Walton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Roosevelt Edwards, Jr., Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Mayor Michael C. Bujakowski, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jackie M. Shornak, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jasmine E. Gore, Ward #4			

ORDINANCE 2015-XX

An Ordinance amending Section 34-30 (Rebate of machinery and tools tax for certain businesses located in the Enterprise Zone) of Article II (Tax on Real Estate, Machinery and Tools) of Chapter 34 (Taxation) of the Code of the City of Hopewell.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HOPEWELL that Section 34-30 of Article II, Tax on Real Estate, Machinery and Tools, of Chapter 34 of the Code of the City of Hopewell is amended as follows:

CHAPTER 34 – TAXATION

ARTICLE II. TAX ON REAL ESTATE, MACHINERY AND TOOLS

Sec. 34-16. Accrual; when due and payable.

All taxes and levies on real estate and on machinery and tools subject to taxation by the city shall accrue on January first of each year and shall become due and payable on the first day of June of each year.

Sec. 34-17. Installment payment.

One-half of all taxes and levies accruing each year to the city on real estate and on machinery and tools shall be paid to the city treasurer on or before June fifteenth of each tax year and the remaining one-half, unless sooner paid, shall be paid on or before December fifth next following. Any taxpayer shall have the option of paying the second half of his then-current year's taxes at any time between June first and December fifth of the then-current tax year.

Sec. 34-18. Penalty for late payment.

For the nonpayment of the first one-half of the current year's taxes on real estate and machinery and tools, there shall be added a penalty of ten (10) percent of the tax past due, or the sum of ten dollars (\$10.00), whichever shall be greater, on June sixteenth of the current tax year; provided, however, that the penalty shall in no case exceed the amount of tax due; and for the nonpayment of the second half of such taxes, there shall be added a penalty of ten (10) percent of the tax past due, or the sum of ten dollars (\$10.00), whichever shall be greater, on December sixth of the current tax year; provided, however, that the penalty shall in no case exceed the amount of tax due.

Sec. 34-19. Interest on principal and penalty.

Both principal and penalty for nonpayment of taxes on real estate and machinery and tools shall bear interest at the maximum rate allowed by law from the first day following the date such taxes are due.

Sec. 34-20. Treasurer's statement.

The city treasurer shall, at least fifteen (15) days before the due date of the first one-half of the taxes and levies on real estate and machinery and tools, mail to all such taxpayers a statement showing the amounts of the semiannual installments thereof. Such statement shall be prepared by the city treasurer.

Sec. 34-21. Biennial assessment of real estate.

Pursuant to the provisions of section 58.1-3253, Code of Virginia, and by virtue of the city having at least one full-time real estate appraiser or assessor certified by the state tax commissioner, beginning with the year 1977, and for each year thereafter, all real estate in the city shall be assessed and equalized biennially in lieu of the reassessments required under chapter 32, title 58.1, Code of Virginia. A new reassessment of all real property within the city shall be conducted biennially, which reassessment may be completed during an entire two (2) year period; provided that, the same standards of value are employed for all appraisals made during such period. The first such reassessment shall be effective for tax purposes on January 1, 1979.

Sec. 34-22. Exemption of fallout shelters from assessment for real estate taxes.

Where there is erected, within the city, a fallout shelter for protection against nuclear radiation, which shelter is constructed according to approved plans and specifications, as recommended by state, local or federal agencies, and which can be used only as a fallout shelter and for no other purpose whatsoever, such shelter shall be exempt from assessment for real estate taxes by the city.

Sec. 34-23. Real estate tax relief for elderly and disabled persons.

(a) An exemption and/or deferral of real estate taxes shall be granted from local real estate taxation, or a portion thereof, owned by and occupied as the sole dwelling of a person or persons not less than 65 years of age, or where such person or persons are determined to be permanently and totally disabled as defined by §58.1-3217 of the Code of Virginia, provided that (i) the dwelling is occupied as the sole dwelling by all such joint owners, and (ii) the net combined financial worth, including the present value of all equitable interests, as of December 31 of the immediately preceding calendar year, of the owners, and of the spouse of any owner, excluding the value of the dwelling and the land, not exceeding 1 acre, upon which it is situated shall not exceed: \$100,000.00 for a tax exemption, and \$200,000.00 for a tax deferral.

(b) The total combined income received from all sources during the preceding calendar year by (i) owners of the dwelling who use it as their principal residence, (ii) owners' relatives

who live in the dwelling, and (iii) nonrelatives of the owner who live in the dwelling except for bona fide tenants or bona fide paid caregivers of the owner, shall not exceed \$32,500 (provided that the first \$4,000.00 of income of each person who is not the spouse of an owner living in the dwelling shall not be included in such total) for an exemption, and \$50,000 for a tax deferral. Up to \$10,000.00 of said income of an owner who is permanently disabled shall be excluded from the \$32,500.00 amount.

(c) Where the person claiming exemption conforms to the standards and does not exceed the limitations contained herein, the tax exemption shall be as shown on the following schedule:

- (1) Total combined income not exceeding \$18,500.00, the tax exemption shall be 100%;
- (2) Total combined income exceeding \$18,500.00 and not exceeding \$32,500.00, the tax exemption shall be 50%.

The maximum tax exemption hereunder shall be \$850.00.

(d) In addition to any exemption that may be available, the above described property owners can also choose to defer all, or part of the real estate taxes on any amounts not subject to exemption, which amounts shall be collected pursuant to §58.1-3216 of the Code of Virginia.

Tax relief shall be granted effective January 1, 2011.

Virginia State Code §§58.1-3210 to §58.1-3217

*Section (d) added by Ordinance #2011-21 on 12/12/2011

Sec. 34-24. Date for determination of taxpayer's status and assessment of value of machinery and tools.

The status of all persons liable to taxation on machinery and tools shall be fixed as of January first in each year and the value of all such property shall be assessed as of such date.

Sec. 34-25. Annual returns of machinery and tools--Generally.

Any person owning any machinery and tools on the first day of January of any year, subject to taxation by the city on which property taxes may be paid in semiannual installments, as provided by law, shall, on or before the fifteenth day of February in each year, file a return thereof with the commissioner of the revenue, on the forms provided for that purpose, of such property owned by such person on the first day of January of the current year.

Sec. 34-26. Same--Failure to file; effect.

If any taxpayer liable to file a return of machinery and tools under this article, neglects or refuses to file the same for any year, within the time prescribed in section 34-25, the commissioner of the revenue shall, from the best information obtainable, enter the fair market value of such property and assess the same as if it had been reported to him; and shall assess a penalty of ten (10) percent of the tax assessable, or ten dollars (\$10.00), whichever is greater; provided, however, that the penalty shall in no case exceed the amount of the tax assessable.

Secs. 34-27--34-29. Reserved.

Sec. 34-30. Rebate of machinery and tools tax for certain businesses located in the Enterprise Zone.

(a.) *Rebate authorized.* A partial rebate of machinery and tools taxes is hereby provided for any business located in the Enterprise Zone which is newly constructed, expanded, renovated or replaced in accordance with the criteria set out in the Constitution of Virginia and pursuant to § 59.1-279 et seq., the Urban Enterprise Zone Act of the Code of Virginia of 1950, as amended. A partial rebate will be provided on and after July 1, 2011, and for each fiscal year until ~~June 30, 2015~~ June 30, 2020.

(b.) *Eligibility.* For the purposes of this section, businesses located in the Enterprise Zone shall be eligible for a partial rebate of the machinery and tools tax resulting from new construction, expansion or replacement of existing machinery and tools only if the machinery and tools installed increases the assessed value of machinery and tools above the current assessed value, or base value. If the new construction, expansion or replacement of existing machinery and tools results in a decrease in the assessed value of the machinery and tools then the business shall not be eligible to receive a partial rebate.

(c.) *Amount of rebate.* The amount of partial rebate provided for in this section shall be equal to thirty (30) percent of the increase above the base value in assessed value of machinery and tools installed in a business located within the Enterprise Zone.

(d.) *Length of rebate.* The partial rebate for taxation of machinery and tools for the installation of new or the replacement of existing machinery and tools shall run with the land and for the benefit of any owner of such property during each of the three (3) years of the rebate. The owner of the property shall be entitled to receive rebate of thirty percent (30%) of the increase in the assessed value of the machinery and tools as a result of the new construction, renovation, or replacement, as determined by the Commissioner of the Revenue, during the first year after completion and subsequent two (2) years.

(e.) An application for enterprise zone benefits must be submitted to the Commissioner of the Revenue, and the benefit accessed by the business within one year of the start of operations in the enterprise zone or subzone, or within one year of a qualifying facility expansion or renovation in order to receive the machinery and tools tax rebate.

Secs. 34-31 -34-40. Reserved.



Terence R. McAuliffe
Governor

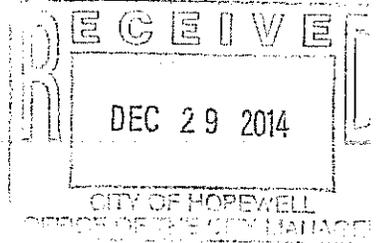
Maurice A. Jones
Secretary of Commerce
and Trade

COMMONWEALTH of VIRGINIA

William C. Shelton
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

December 19, 2014



The Honorable Michael Bujakowski
Mayor, City of Hopewell
300 North Main Street
Hopewell, Virginia 23860

Dear Mayor Bujakowski:

As you may have recently heard, Governor McAuliffe has announced that the City of Hopewell has been awarded a five year renewal for Enterprise Zone #9. This renewal is effective January 1, 2015. Congratulations on the renewal of your zone. Renewals are required by statute and occur after ten and fifteen years of designation.

Representatives from the Department of Housing and Community Development will be contacting you or your designee soon to discuss strategies and recommendations to ensure a positive impact on the community during the next five years. I am pleased to be of assistance to you in Hopewell's continued economic development efforts.

Sincerely,

Bill Shelton
Director

cc: Mr. Mark A. Haley, City Manager

Partners for Better Communities



www.dhcd.virginia.gov

COMMUNICATIONS
FROM
CITIZENS

UNFINISHED
BUSINESS

NONE

REGULAR BUSINESS

REPORTS OF
BOARDS AND
COMMISSIONS

REPORTS OF
THE CITY
MANAGER

R-1

**AN ORDINANCE
ADDING A NEW ARTICLE III (STORMWATER UTILITY) TO CHAPTER 14
(EROSION & SEDIMENT CONTROL) OF THE CODE OF
THE CITY OF HOPEWELL AS AMENDED, TO ESTABLISH A STORMWATER UTILITY FEE TO SUPPORT
A LOCAL STORMWATER MANAGEMENT PROGRAM.**

BE IT ORDAINED by the Council for the City of Hopewell, Virginia that:

There is hereby added to the Hopewell City Code, as amended, a new article, to be numbered Article III, to Chapter 14 of the Hopewell City Code, to read as follows:

**CHAPTER 14. EROSION & SEDIMENT CONTROL
ARTICLE III. STORMWATER UTILITY**

Sec. 14-33. Authority.

The City is authorized by Virginia Code §15.2-2114 to establish a utility to enact a system of service charges to support a local stormwater management program consistent with Article 2.3 (§62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 or any other state or federal regulation governing stormwater management.

Sec. 14-34. Purpose.

The City Council finds that an adequate, sustainable source of revenue for stormwater management activities is necessary to protect the general health, safety, and welfare of residents of the City, and to meet requirements of the City's Virginia Pollution Discharge Elimination System (VPDES) Municipal separate storm sewer system (MS4) permit and federal and state regulations to address identified water quality and quantity needs. The City Council finds that property with higher amounts of impervious area contributes greater amounts of stormwater and pollutants to the storm sewer system and waters of the Commonwealth and should carry a proportionate burden of the cost of such activities. Therefore, the City Council determines it is in the best interest of the public to enact a Stormwater Utility Fee.

Sec. 14-35. Definitions.

The following definitions shall apply to this Article unless the context clearly indicates otherwise:

Billing Unit means twenty-one hundred (2,100) square feet of impervious area. All single-family homes will be billed one (1) billing unit rate.

Director means the Director of Public Works or the Director's authorized representative.

Developed property means real property that has been altered from its "natural" state by the addition of any improvements such as buildings, structures and other impervious areas. Improvements are not limited to buildings, patios, driveways, walkways, parking areas, and compacted gravel areas.

Impervious means surface area composed of material that impedes or prevents natural infiltration of water into soil.

Municipal Separate Storm Sewer System (MS4) is a conveyance or system of conveyances that is:

- Owned by a state, city, town, village, or other public entity that discharges to waters of the U.S.;
- Designed or used to collect or convey stormwater (including storm drains, pipes, ditches, etc.);
- Not a combined sewer; and
- Not part of a Publicly Owned Treatment Works (sewage treatment plant).

Stormwater best management practice means activities, prohibition of practices, maintenance procedures and other management practices, including both structural and non-structural practices, to prevent or reduce pollution of surface waters and groundwater systems.

Stormwater management facility means a structural control measure that controls stormwater runoff and changes the characteristics of that runoff including, but not limited to, the quantity and quality, the period of release, or the velocity of flow. A stormwater management facility is a type of stormwater best management practice.

Unimproved parcel means any parcel that has less than five hundred (500) square feet of impervious area.

Utility fee means any permit or local program fees allowed by Commonwealth of Virginia State Code.

Sec. 14-36. Stormwater Utility Fee.

- (a) A Stormwater Utility Fee is hereby imposed on every parcel of real property in the City that appears on the real property assessment rolls as of July 1 of each year.
- (b) When new properties or impervious areas are brought into the utility system, such as from new construction, fees will accrue or increase commencing on the next billing cycle as established in Section 14-42(a).
- (c) The billing rate per billing unit to be used for calculating the Stormwater Utility Fee shall be \$48.00 per year. City Council may modify the billing rate in the future.
- (d) All Stormwater Utility Fees and other income from the fees shall be deposited into the stormwater enterprise fund. The funds deposited shall be used exclusively to provide services

and facilities related to the stormwater management program pursuant to the provisions of the Virginia Code §15.2-2114.

- (e) The stormwater utility shall be in effect starting July 1, 2015.
- (f) The stormwater utility shall be under the administration of the Director.
- (g) Consistent with Virginia Code §15.2-2114, the Stormwater Utility Fee shall be waived in its entirety for the following:
 - 1. A federal, state, or local government, or public entity that holds a permit to discharge stormwater from a municipal separate storm sewer system (MS4); except that the waiver of charges shall apply only to property covered by any such permit; and
 - 2. Public roads and street rights-of-way that are owned and maintained by state or local agencies including property rights-of-way acquired through an acquisitions process.

Sec.14-38. Stormwater Utility Fee calculations.

- (a) Unless otherwise specified in this article, the annual Stormwater Utility Fee for all property in the City shall be calculated in the following manner:
 - 1. Determine the impervious area of each parcel of real property in square feet;
 - 2. Divide the property's impervious area by the billing unit;
 - 3. Round the resulting calculation to the nearest whole number to determine the billing units and multiply by the billing rate established to obtain the annual Stormwater Utility Fee for the property.
- (b) The Stormwater Utility Fee is applicable to condominium unit owners and to property held by a common interest community association, as defined in Virginia Code §55-528. The common area within the common interest community shall be evenly divided among the individually owned parcels, or as per an alternative methodology, as determined by the Director, including but not limited to directly charging the association based on the methodology described in subsection (a) above.

Sec. 14-39. Stormwater Fund.

- (a) The stormwater fund is hereby established as a dedicated enterprise fund. The fund shall consist of revenue generated by the Stormwater Utility Fee as well as any other deposits that may be made from time to time by the City Council.
- (b) The stormwater fund shall be dedicated special revenue used only to pay for or recover costs for the following:
 - 1. The acquisition, as permitted in Virginia Code §15.2-1800, of real and personal property, and interest therein, necessary to construct, operate, and maintain stormwater control facilities;

2. The cost of administration of the stormwater program;
3. Planning, design, engineering, construction, and debt retirement for new facilities and enlargement or improvement of existing facilities, whether publicly or privately owned, that serve to control stormwater;
4. Facility operation and maintenance;
5. Monitoring of stormwater control devices and ambient water quality; and
6. Other activities consistent with the state or federal regulations or permits governing stormwater management, including, but not limited to, public education, watershed planning, inspection and enforcement activities, and pollution prevention planning and implementation.

Sec. 14-40. Billing, payment, and penalties.

- (a) The Stormwater Utility Fee shall be billed twelve times per year to the recorded owner and or operator of each real estate parcel. Such bills or statements shall be included on and payable with the parcel's Sewer & Refuse bill. For properties that do not receive a Sewer & Refuse bill they will receive their bill via the City's real estate tax bill in conjunction with the City's standard real estate tax billing cycle. Any fee not paid in full by the respective due date shall be considered delinquent.
- (b) All payments received shall be first credited firstly towards stormwater, sewer, and then lastly towards refuse charges.
- (c) A delinquent Stormwater Utility Fee shall accrue interest at the legal rate provided in Virginia Code § 6.2-301(A). Such interest shall be applied to late payments overdue for more than thirty (30) days, and shall be calculated for the period commencing on the first day such fee is first due, until the date the fee is paid in full.
- (d) Any delinquent Stormwater Utilities Fee, together with all interest due, shall constitute a lien on the property on which assessed ranking on parity with liens for unpaid Fees and shall be collected in the same manner as provided for the collection of unpaid Fees.

Sec. 14-41. Stormwater Utility Fee credits.

- (a) The Director shall administer a system of credits in accordance with Virginia Code § 15.2-2114.D that provide for partial waivers of charges to any person who installs, operates, and maintains an approved stormwater best management practice that achieves a permanent reduction in stormwater flow or pollutant loadings. The credit policy shall also, in accordance with Virginia Code § 15.2-2114.E, provide for full or partial waivers of charges to public or private entities that implement or participate in strategies, techniques or programs that reduce stormwater flow or pollutant loadings, or decrease the cost of maintaining or operating the public storm sewer system and stormwater program.
- (b) The Director will develop written policies to implement the credit system, which shall include a requirement for property owners to provide maintenance verification to the City and enter into a maintenance agreement. No credit will be authorized until the City Council approves written

policies to implement the system of credits; a copy of the approved policies shall be on file with the public works department.

- (c) City Council may modify the adopted system of credits to apply to future stormwater best management practices. Previously granted credits shall be grandfathered so that existing credits cannot be modified as long as the property owner continues to provide maintenance verification and meets the requirements of the maintenance agreement.

Section 14-42. Petitions for adjustments.

- (a) Any property owner may request an adjustment of the Stormwater Utility Fee by submitting a request in writing to the Director or their designee within thirty (30) days after the date the bill is mailed or issued to the property owner. Grounds for adjustment of the Stormwater Utility Fee are limited to the following:
 - 1. An error was made regarding the square footage of the impervious area of the property;
 - 2. The property is exempt under the provisions of 14-36(g);
 - 3. There is a mathematical error in calculating the Stormwater Utility Fee;
 - 4. The identification of the property owner invoiced is in error; or,
 - 5. An approved credit was incorrectly applied.
- (b) The property owner shall complete a petition for adjustment form available on the City's website or supplied by the Director.
 - 1. If the applicant alleges an error in the amount of the impervious area, the applicant shall provide a plot, plan, or map showing all impervious areas within the property's boundaries, including buildings, patios, driveways, walkways, parking areas, compacted gravel areas, and any other separate impervious structures. The applicant shall label dimensions of impervious areas and showing the areas believed to be incorrect.
- (e) The requirement for a plan view of the property's impervious area required in subsection (b) above may be waived by the Director, if at the sole discretion of the Director the error is obvious and is the result of technical error or oversight by the City. In such case, the City shall be responsible for recalculating the impervious area of the property.
- (f) The Director shall make a determination within forty-five (45) days of receipt of a complete submittal for the request for adjustment. In the event that the director or their designee finds that the appeal is deficient or incomplete, the director or their designee shall offer the owner sixty (60) days to supply the missing information. The forty-five (45) day time for a decision will begin at such time as the requested information is provided. If the information requested is not provided to the Director within 60 days of the original request, the petition will be deemed withdrawn.
- (g) The Director's decision on a Stormwater Utility Fee adjustment petition is a final decision from which the aggrieved party may appeal to the Hopewell Circuit Court within 30 days of such decision.

This ordinance shall take effect on July 1, 2015 with first billing in August 2015. The first billing will cover a one month period from July 1, 2015 to July 31, 2015.

R-2



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

- Consent Agenda
- Public Hearing
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- Reports of Council Committees

Action:

- Approve and File
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- Receive & File (no motion required)
- Approve Ordinance 1st Reading
- Approve Ordinance 2nd Reading
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COUNCIL AGENDA ITEM TITLE: Review of Tree Protection Ordinance for cedar trees along Cedar Road

ISSUE: The condition of cedar trees along Cedar Lane; the entrance to the Petersburg National Battlefield - City Point Unit and the Historic City Point District.

RECOMMENDATION: City Administration recommends City Council review the Tree Protection Ordinance, offer revisions during a work session, and set a public hearing to consider citizen comments at a future meeting.

TIMING: City Council action is requested to set a date for a work session to discuss the details of the Tree Protection Ordinance.

BACKGROUND: The Architectural Review Board (ARB) is concerned about the current and future state of cedar trees along Cedar Road. This road is the gateway into the City Point Historic District and its appearance makes an important statement. The trees are important community assets that enhance the beauty of the Historic District, add distinction to the entire cityscape, protect property values and help draw tourists, as well as welcome prospective residents.

FISCAL IMPACT: None

ENCLOSED DOCUMENTS: Attachment 1: Proposed Tree Ordinance
Attachment 2: July 2009 Pictorial Inventory of Cedar Trees

STAFF: Tevya W. Griffin, Director, Neighborhood Assistance & Planning
Horace H. Wade, III, City Planner

SUMMARY:

- | | | | | | |
|--------------------------|--------------------------|---|--------------------------|--------------------------|--------------------------------------|
| Y | N | | Y | N | |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Christina J. Luman-Bailey, Ward #1 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor K. Wayne Walton, Ward #5 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Arlene Holloway, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> | Mayor Brenda Pelham, Ward #6 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Anthony J. Zevgolis, Ward #3 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jackie M. Shornak, Ward #7 |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Jasmine E. Gore, Ward #4 | | | |

City of Hopewell, Virginia
Cedar Road Tree Preservation Ordinance

Section I. Intent of the Ordinance

The Cedar trees lining both sides of Cedar Lane provide a gracious entryway to one of America's oldest, most historic places, City Point. A lane of cedar trees was first planted on the land entrance (now Cedar Lane) to Appomattox Plantation. In the 1970s a hurricane felled nineteen aged cedar trees which were quickly replaced in cooperation with the City Point Branch APVA, The City Point Civic Association, Continental Forests, Inc., and the City of Hopewell. The cedar trees on Cedar Lane are cited as a national treasure by the National and Virginia Historic Registry. The character of the streetscape is very important in defining the City Point Historic District. The trees are important community assets that enhance the beauty of the Historic District, add distinction to the entire cityscape, protect property values and help draw tourists, as well as welcome prospective residents.

The purpose of this ordinance is to preserve the character and appearance of Cedar Lane through the continuous maintenance and replacement of the trees, when appropriate, and to assure that the trees lining Cedar Lane remain intact today and for future generations of Hopewell citizens.

Section II. Definitions

1. **Arborist:** A person trained or certified in arboriculture, forestry, horticulture and/or landscape architecture in the employ of or under contract to the City of Hopewell appointed by the City Manager.
2. **Historic Tree:** A tree on public property which has been determined by the City Council to be of notable historic interest because of its age, size or historic association and has been so designated in the official records of the City.

Section III. Location of Cedar Trees

The cedar trees are located on City property, beginning at the intersection of Cedar Lane and Appomattox Street and ending at Cedar Lane and Pecan Avenue, in what is considered City right-of-way. This means that the City of Hopewell owns the property in question. While, the City owns the property, the Code of the City of Hopewell requires property owners adjacent to the right-of-way to maintain the property. This has led to improper cutting and pruning of the cedar trees along Cedar Lane.

Section IV. Maintenance of Cedar Trees

It shall be the sole responsibility of the City Manager of the City of Hopewell, or his or her designee to maintain the cedar trees along Cedar Lane beginning at Cedar Lane and Appomattox Street and ending at Cedar Lane and Pecan Avenue. It shall be unlawful for a property owner to prune, cut, girdle, break, bend wound, tack signs or notices upon a cedar tree. The property

owner can work with the City Manager or his or her designee to provide updates on needed maintenance of cedar trees. Trees cannot be planted in the City-right-of-way without approval from the City Manager.

An inventory of cedar trees has been conducted and will be considered current with the date of the adoption of this Ordinance. This inventory will be used to maintain, log, and replace cedar trees in the future.

If a cedar trees is observed to be diseased, dying or in need of maintenance (pruning) the repair or replacement of the tree shall be decided by an arborist or master gardener, hired or employed by the City of Hopewell.

Section V. Funding

It is recommended that a funding source for short-and long-term operational expenses be considered in the City's Annual Operational Budget; specifically, funding with the Public Works departments for maintenance, plantings, and possibly removal of trees deemed diseased or unsafe. Further, it is recommended that funding for long term capital expenses be considered in the City's Capital Improvement Plan for those items that would require major capital dollars.

Section VI. Replacement of Trees destroyed in Violation of Chapter

When trees are destroyed in violation of this article, replacement trees shall be required unless exemption is granted by the City Manager or his or her designee. The size, species and quantity of these replacements shall be determined by the City Manager or his or her designee based on the value of the trees removed as calculated by the latest formula published by the International Society of Arboriculture. Replacement trees shall be provided during the next planting season.

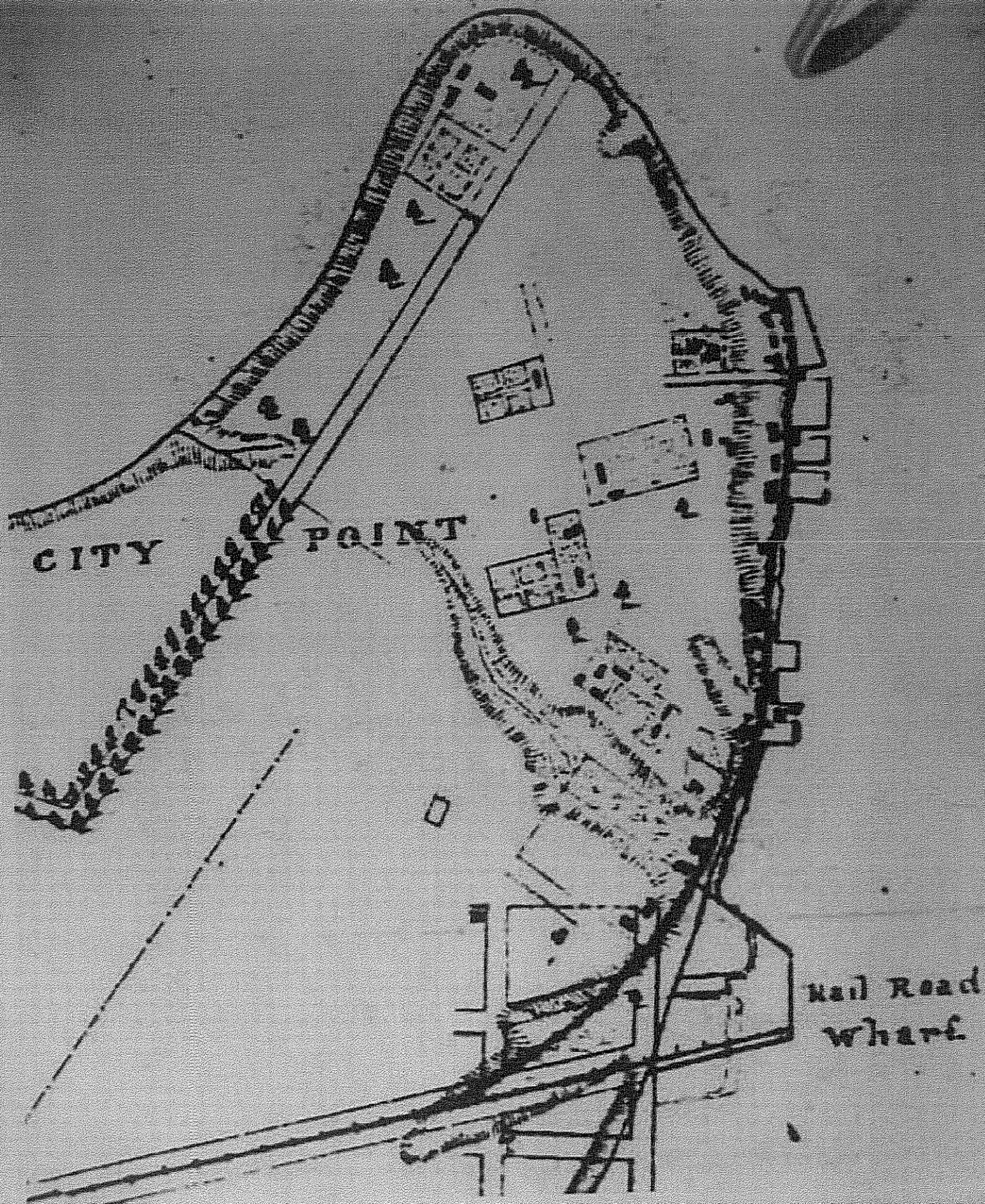


Figure 3- 1837 plat of City Point surveyed for the City Point Railroad by John Couty. Virginia State Library.

R-3



CITY OF HOPEWELL CITY COUNCIL ACTION FORM

Strategic Operating Plan Vision Theme:

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

Order of Business:

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

Action:

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

COUNCIL AGENDA ITEM TITLE: Set a date to hold a work session to review a rezoning application

ISSUE: A request to rezone two properties from the TH-1, Tourist/Historic District to the R-1, Residential, Low Density District has been submitted to the City. City Council is required to review the application, hold a public hearing to consider citizen comments, and render a final decision regarding the rezoning requests.

RECOMMENDATION: City Administration recommends City Council set a date for a work session to discuss the rezoning application.

TIMING: None

BACKGROUND: The City has received a request from Stephanie Hayes to rezone 1100 and 1102 Maplewood Avenue from TH-1, Tourist/Historic District to R-1, Residential, Low Density District. The Planning Commission held a public hearing and work session regarding this issue. The Planning Commission has recommended approval of the applicants request to rezone both properties.

FISCAL IMPACT: None

ENCLOSED DOCUMENTS:

- Attachment 1: Minutes of January 8, 2015 Planning Commission public hearing
- Attachment 2: Minutes of January 22, 2015 Planning Commission work session
- Attachment 3: Minutes of February 5, 2015 Planning Commission meeting

STAFF: Tevya W. Griffin, Director, Neighborhood Assistance & Planning
Horace H. Wade, III, City Planner

SUMMARY:

Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Christina J. Luman-Bailey, Ward #1	<input type="checkbox"/>	<input type="checkbox"/>	Councilor K. Wayne Walton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Mayor Brenda Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Anthony J. Zevgolts, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jackie M. Shornak, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jasmine E. Gore, Ward #4			

**MINUTES OF THE JANUARY 8, 2015 MEETING
OF THE PLANNING COMMISSION
CITY OF HOPEWELL, VA**

A meeting of the Planning Commission for the City of Hopewell was held on Thursday, January 8, 2015, at 7:00 p.m. in City Council Chambers, located at 300 North Main Street, Hopewell, Virginia.

Planning Commission Members present:

Elliot T. Eliades, Vice-Chairman
Todd Butterworth
John Jones
Henry Wilde

Staff Members present:

Tevya Griffin, Director of Development
Horace Wade, City Planner

The meeting was called to order by Commissioner Eliades at 7:00 p.m.

Commissioner Eliades provided an opening prayer.

Commissioner Eliades welcomed members and visitors.

Mrs. Griffin conducted the roll call. The Chairman, Reverend Dunbar, was absent due to illness. A quorum was established.

ADMINISTRATIVE MATTERS

1. Requests for withdrawal/deferral or amendments to the agenda.

No withdrawal/ deferral or amendments to the agenda.

2. Meeting Minutes-December 4, 2014

A motion to approve meeting minutes as presented was made by Mr. Butterworth. The motion was seconded by Mr. Jones. The motion was approved with a vote of 4 to 0.

3. Citizen Comments

There were no citizen comments.

PUBLIC HEARINGS

1. The Hopewell Planning Commission will conduct a public hearing to consider citizen comments regarding a request submitted by Stephanie Hayes, to rezone property identified as 1100 and 1102 Maplewood Avenue, from TH-1 (Tourist/Historic District) to R-1, Residential, Low Density District and to amend the Official Zoning Map of the City of Hopewell.

Mrs. Griffin provided an overview of the staff report and provided Staff's recommendation.

The public hearing was opened at 7:09 p.m.

Ms. Hayes stated that for two years she has been dealing with the issue regarding the removal of her windows. She has a financial hardship and is not able to maintain her home in accordance with the standards of the Architectural Review Board (ARB). Her home is not historic. She would like to be removed from the district along with her neighbors along her street that were removed when the historic district was first formed.

Commissioner Butterworth asked Ms. Hayes if the vinyl windows she installed were not compliant.

Ms. Hayes responded that she was taken to court when no one else in her district was taken because she installed vinyl windows. She does not think this was fair.

There was discussion about why Ms. Hayes's property was not removed from the historic district when the opportunity was afforded itself when it was first formed. Mrs. Griffin explained that persons were given the option to be removed from the historic district. The minutes of the City Council meeting that approved the boundaries of the district list the sub-parcel numbers of the properties that were to be in the Residential Low Density District R-1. This property is not listed.

Cheryl Collins of 600 Brown Avenue, located in the historic district spoke regarding this issue. She asked the Planning Commission to approve Ms. Hayes' request to rezone her properties from the historic district. She went on to mention her request before the Planning Commission to table to the recommendation to approve the new historic district guideline booklet. There was discussion about the Planning Commissions review of the historic guideline book. She does not believe the approval of the booklet by the City Council in December 2014 has not done anything to approve the district.

Ms. Collins believes that Ms. Hayes was "put thru the ringer". She stated that Ms. Hayes' home is not historic.

Ms. Collins discussed the Maplewood Apartments installation of vinyl windows without repercussions from anyone. These windows do not have muntins and did not go through the certificate of appropriateness process. She believes you should respect history but believes the district is beyond repair. The City needs to put money into the district. Ms. Collins gave examples of what she believes to be inconsistencies throughout the district.

Commissioner Jones thanked Ms. Collins for her comments but reminded those in attendance that the Planning Commission is only considering the rezoning case tonight.

Mr. Gilliam of 1108 Maplewood Avenue, adjacent to the historic district, spoke in regards to the rezoning request. He asked the Planning Commission to approve the request and he stated that he was there when the original district was in formulation. He recalls that a petition was sent around to be in favor of district. His father signed this petition but later saw a petition in the local paper that did not include the same language as the one circulated. This caused his father alarm.

Mr. Gilliam stated that his dad represented the property owners of 1101, 1108, 1107, 1104, and 1103 Maplewood Avenue at the City Council regarding the historic district. His father argued that the historic district would be restrictive to property owners that were older and on a fixed income.

Mr. Gilliam also discussed the former guidelines versus that of the new guidelines adopted by the City Council in December. He spoke specifically about wording in the former guidelines that listed several types of materials that could be utilized as alternatives to more popular building materials versus that of the new guidelines that he believes does not allow the same flexibility. Mr. Gilliam asked the property in question be removed from the historic district because it was never supposed to be in the district. Mr. Gilliam informed the Planning Commission that 1105 and 1113 Maplewood Avenue was represented by his aunt. Mr. Gilliam asked the Planning Commission to solve Ms. Hayes' problem and rezone her properties.

The public hearing was closed at 7:35 p.m.

The Planning Commission members discussed the rezoning and expressed their desire to hear the opinion of the Architectural Review Board regarding the removal of the two properties from the district. Mrs. Griffin stated that Staff had not inquired of the ARB's position in this matter at this time.

Commissioner Wilde made a motion to postpone a decision regarding the rezoning of 1100 and 1102 Maplewood Avenue in order to hold a work session within the next two weeks with the Architectural Review Board.

The Planning Commission posed four questions.

- The opinion of the ARB -Why should the properties remain in the district/why should they be rezoned?
- What does not contribute to the district's historic character mean?
- Why properties were allowed to be out of the district along Maplewood Avenue and this property was not included?
- What is the benefit of keeping the properties in the district? How will this benefit the City?

The motion was seconded by Commissioner Butterworth. The motion passed with a vote of 4 to 0.

Vice Chairman informed Ms. Hayes that the Planning Commission would meet with the Architectural Review Board and asked if she understood this next step. She said that she did.

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2. The Hopewell Planning Commission will conduct a public hearing to consider citizens comments regarding a request submitted by David A. Roberts, Jr. The applicant is requesting a Zoning Ordinance Amendment to amend Article X, Limited Business District (B-2), Section A., Use Regulations to allow accessory structures to include metal carports that are not visible from primary streets and any other conditions the City Council may deem necessary.

Mrs. Griffin gave an overview of the case and provided Staff's recommendation. Staff is recommending denial of the request by the applicant to amend Article X, Limited Business District (B-2), Section A., Use Regulations to allow accessory structures to include metal carports that are not visible from primary streets and any other conditions the City Council may deem necessary. Staff does recommend approval of accessory structures in the B-2 District by a Conditional Use Permit approved by City Council.

The applicant, David A. Roberts, Jr., spoke to the Planning Commission. He stated that it was a mistake to erect a carport without a building permit. However, he did not think he needed a permit to erect a carport as a business owner. He asked other business owners how they got it and they said they just picked out a carport and put it up. He stated that he should have been notified when the ordinance was amended in 2010 removing accessory structures as an allowable use in the B-2 district. Mr. Roberts stated that the carport will be used for shelter of equipment of his personal goods and his customers. He lives in the Westmoreland subdivision, a Planned Unit Development. He cannot put the carport on his lot as his home because it is not big enough. He needs an area to lock up cars. H needs space for shelter. The area behind his building is a haven for vagrant activity. He wants to have a structure where people cannot throw something to break his equipment or that of his customers.

Commissioner Butterworth asked Commissioner Wilde, the Chairman of the Board of Zoning Appeals (BZA) and a Planning Commission member, about the outcome of the Board of Zoning Appeals case. Commissioner Butterworth asked about the BZA's conditional approval of the special exception and variance and the City Council's decision to approve a modification to the development standards and the right of way vacation. Commissioner Wilde explained that that was the route that the BZA required in order to approve the application. Mr. Robert's has decided to pursue a Zoning Ordinance Amendment.

Mr. Roberts stated that if he had to move the carport it would be a financial hardship. He would take a serious financial loss to get rid of it. He needs the carport for personal and business use. He has spoken to his neighbors at Mr. B's Restaurant, Mr. Zevgolis at the bowling alley across the street, and Susan Myers who owns a property on the corner. All were unaware that a carport was erected and had no problem with the location.

Commissioner Jones asked if getting the conditional use permit would resolve Mr. Robert's issue. Mrs. Griffin answered that the conditional use permit allows the Planning Commission to make a recommendation to the City Council regarding this issue. The City Council than has the authority to place conditions on the carport if approved.

Mrs. Griffin explained that currently an accessory structure is not allowed in the B-2 Zoning District. The applicant applied to the BZA for a special exception to be able to keep it in its current location. The applicant would also need approval of an alley vacation because the property does not meet the required rear yard setback for the district. The applicant needed approval of a modification to Article XVIII, Development Standards because metal structures are not allowed to be erected in any business district, effective 2010, without special architectural treatment. Commissioner Jones asked the relationship between the BZA and the conditional use permit. Mrs. Griffin stated that instead of applying for a modification to the development standards and an alley vacation before the City Council as the BZA required for their approval, Mr. Robert's has decided to request a change to the Zoning Ordinance thereby allowing him to place the carport on the property as long as it cannot be seen from the street and with any other restrictions as deemed necessary by the City Council. It was concluded by the Commissioners and verified by Staff that this amendment would be effective for every property zoned B-2 in the City not just Mr. Robert's property. Staff further stated that through the BZA the change would have been just for Mr. Robert's property. This is also true if Mr. Robert's requested the modification to the development standards and alley vacation before City Council. A Zoning Ordinance Amendment changes regulations for an entire district.

Commissioner Jones asked if the applicant would still have a problem with the rear yard setback. Mrs. Griffin said he would. There was discussion about the setback of the building.

Commissioner Wilde stated that regulations are provided by the City Council. They are interested in the quality of life for everyone. He spoke about this issue opening up Pandora's Box. He went on to say that carports were once seen as portable. This was a problem because they could not be regulated and they were being erected all over the City. The law was changed and they were deemed to be permanent structures. He expressed that changing this for everyone would cause problems.

Mr. Charlie Dane, Assistant City Manager, spoke during the public hearing. He first thanked staff for doing their job. He recognized that their job can be difficult but they are responsible for enforcing the Code. They have to stick their rule of law. Mr. Dane stated that not every case is black or white. There are variables in every case. The way this particular rule is written there is no space for flexibility. He is supportive of looking at similar issues on a case by case basis. There may be instances where the use is appropriate, as he feels it is for this case. He stated the business is cleanly kept and orderly. The structure cannot be seen from the main road but can be seen from the side road. It does not meet setback regulations, however, part of his garage extends beyond where the carport ends. He supports looking at the approval of accessory structures on a case by case basis. He believes there are instances where carports would Zoning and Code Enforcement is about protecting the quality of life for all residents. There are instances where accessory structures will not affect the quality of life. Administration is in support of the conditional use permit process. He stated that there is also political support for this because it makes sense to review on a case by case basis.

He argued for the Conditional Use Permit process. He recognized there will be cases where an accessory structure would be not be a desirable business, but in this instance where they are a business owner should be allowed to erect an accessory structure.

Commissioner Eliades asked what Chesterfield would allow in the business districts.

Mr. Wade, now the City Planner, but previously an employee of Chesterfield, responded that Chesterfield would not allow accessory structures in any business district by right but would require a special exception or special use permit issued by the Board of Zoning Appeals.

Commissioner Butterworth asked about the intent of the B-2 district. He read from the Zoning Ordinance, the intent of the district.

Steve Barnes owner of the Hopewell Body Shop spoke during the public hearing. He stated that he supports what the applicant wants. He believes people have a right to protect their car or boat. He recommends putting restrictions that make sure carports are aesthetically appropriate and that require the carport to be removed if the owner leaves the property.

Mr. Barnes stated that he represents the industry as property gets scarce the City needs to consider allowing accessory uses in business districts.

Charlie Dane, spoke on behalf of Economic Development. He stated that the City wants to ensure that established businesses are successful. This is what he strives to do without damaging quality of life.

Commissioner Wilde discussed previous BZA cases involving carports.

Commissioner Butterworth asked about consistency of a Conditional Use Permit. He is concerned about fairness. Commissioner Eliades stated there has to be flexibility.

Seeing no one else having the desire to speak, the Vice Chairman closed the public hearing at 7:26 p.m.

There was brief discussion about the current non-conformity of accessory structures in the business districts.

Charlie Dane discussed the cost to an applicant due to the various steps required to place an accessory structure in a business district. The zoning amendment would only require one step versus several costly steps. He believes these steps are unfair and unreasonable an applicant must take in order to erect a carport in the business district. The applicant must pay several fees and go through several steps versus one step with the conditional use permit process. The steps through the BZA seem unfair and unreasonable.

Commissioner Jones asked Staff for clarification of what the applicant is requesting.

Commissioner Jones made a motion to allow accessory structures in the B-2 district by a Conditional Use Permit approved by the City Council. The motion was seconded by Commissioner Butterworth. The motion was approved 4 to 0.

Vice Chairman Eliades asked when the City Council would likely hear the case. Mrs. Griffin stated that City Council sometimes likes to have a work session to discuss issues before it goes to a public hearing. Vice Chairman Eliades recommended a work session with City Council regarding this case because he felt this may be controversial. Mr. Dane stated that he felt there is multiple support for this on City Council. The Vice Chairman asked there be a work session either a joint session or a session where the Planning Commission comes to speak on the issue. Mr. Dane did not think this was necessary.

3. The Hopewell Planning Commission will conduct a public hearing to consider citizens comments regarding a request submitted by John W. Marshall III of Marshall Cab LLC. The applicant is requesting a Zoning Ordinance Amendment to amend: Article I, Definitions, Article X, Limited Business District (B-2), Section A, Use Regulations, Article XI, Highway Commercial District (B-3), Section A, Use Regulations; and Article XI-A, Corridor Development District (B-4), Section A, Use Regulations to add a taxicab business as an allowable use in each zoning district.

Mr. Wade provided the Planning Commission with an overview of the case. The applicant owns Marshall Taxi Cab and operates in the City. He would like to move from his current location in downtown Hopewell, zoned B-1.

Staff is recommending that a definition for a taxi cab business be added to Article I, Definitions of the Zoning Ordinance.

Staff recommends denial of the use in the B-2 district. Staff recommends approval of a taxi cab service in the B-3 district and approval by a Conditional Use Permit in the B-4 district.

The public hearing was opened at 8:45 p.m.

John Marshall, owner of the Marshall Cab LLC spoke. He is requesting the Planning Commission recommend approval of his request.

He is not asking for a walk-up business but clients would call in to the office. At his current location there is crime, vandalism and sexual crimes. He needs to move the office and wants to have somewhere else to relocate. He has been in business in the City for nine (9) years and he does not want to leave. His permits are with the City of Hopewell. He owns eight taxis. In total there are seventy five (75) owners. The taxis are allowed to travel outside the City. The taxis are not parked at the office but at the driver's homes.

Tiffany Marshall Jones, the daughter of the owner and office manager spoke in regards to the request. She stated that drug deals take place in front of the office. She has called the police due to broken windows in their cars. There have also been bullet holes found in the car. She and others do not feel safe taking the trash out.

Mr. Eliades asked the Economic Development Director his opinion regarding the conversion of houses to business uses in the B-4 district.

In light of the fact that this would not be a walk-up business and that no more than eight to nine cars will be parked at the business location, Staff changed their recommendation to allow this use in the B-2 district.

A motion was made by Mr. Butterworth to amend Article I to include taxicab business currently not a definition. The motion was seconded by Mr. Jones. The motion passed with a vote of 4 to 0.

A motion was made by Commissioner Butterworth to recommend Council to amend Article B-3 to include taxicab businesses. The motion was seconded by Mr. Wilde. The motion passed with a vote of 4 to 0.

A motion was made by Commissioner Wilde to amend Article X (B-2) to include taxi cab service as it doesn't present an issue in this district. The motion was seconded by Mr. Jones. The passed with a vote of 4 to 0.

A motion was made by Commissioner Butterworth to recommend City Council amend Article XI-A Corridor Development District to include a taxi cab service as an allowable use. The motion was seconded by Commissioner Wilde. The motion passed with a vote of 4 to 0.

4. The Hopewell Planning Commission will conduct a public hearing to consider citizens comments regarding a request submitted by the City of Hopewell. The city is requesting a Zoning Ordinance Amendment to amend Article I, Definitions, B. Definitions to define the term "residential care home" in accordance with new State Regulations.

The public hearing was opened at 9:11 p.m. Seeing no one wanting to speak. The public hearing was closed at 9:11 p.m.

This is required by the Virginia Department of Behavioral Health

Mr. Wade discussed the state requirement.

A motion was made by Commissioner Jones to amend Article I, Definitions to add a definition for a residential care home. The motion was seconded by Commissioner Wilde. The motion passed with a vote of 4 to 0.

UNFINISHED BUSINESS

1. Comprehensive Plan RFP

Discussing RFP with Economic Development Director

2. Time of Planning Commission meetings

A motion was made by Commissioner Butterworth to change the meeting time from 7 p.m. to 6 p.m. The motion was seconded by Commissioner Jones. The motion passed with a vote of 4 to 0.

NEW BUSINESS

No new business to discuss.

REPORTS OF COUNCIL, BOARDS & COMMISSIONS

1. City Council-Action Report
2. Board of Zoning Appeals-Action Report

No meeting this month.

3. Architectural Review Board-Action Report
Working with VCU Master of Urban Planning 1st year students.
January 20, 2015-will meet once a month.
4. Downtown Design Review Committee-Action Report
None

REPORT OF PLANNING COMMISSION MEMBERS

None

REPORT OF DIRECTOR

Enterprise Zone amendment and EZ renewal Thursday, January 22, 2015 5:30 p.m. work session.

ADJOURN

A motion to adjourn at 9:30 was made by Commissioner Butterworth. The motion was seconded by Commissioner Wilde. The motion passed with a vote of 4 to 0.

Respectfully submitted,

Tevya W. Griffin,
Director of Development

Elliot T. Eliades
Vice-Chairman

**MINUTES OF THE JANUARY 22, 2015 WORK SESSION
OF THE PLANNING COMMISSION/ WETLANDS BOARD
CITY OF HOPEWELL, VA**

A work session of the Planning Commission and Wetlands Board for the City of Hopewell was held on Thursday, January 22, 2015, at 5:30 p.m. in City Council Chambers, located at 300 North Main Street, Hopewell, Virginia.

Planning Commission Members present:

Rev. Rudolph Dunbar, Chairman
Elliot T. Eliades, Vice-Chairman
John Jones
Henry Wilde

Architectural Review Board Members present:

Mary Calos, Chairman
Bryan Townes, Vice-Chairman

Staff Members present:

Tevya Griffin, Director of Development
Horace Wade, City Planner

The meeting was called to order by Rev. Dunbar at 5:40 p.m. Rev. Dunbar provided an opening prayer. Rev. Dunbar welcomed members and visitors.

Mrs. Griffin conducted the roll call. Architectural Review Board members Melissa Smith and Johnny Partin were absent. Commissioner Elliot Eliades arrived at 5:41 p.m.

ADMINISTRATIVE MATTERS

1. Purpose of a Work Session

Mrs. Griffin provided an overview of the purpose of this work session. The Planning Commission requested to meet with the Architectural Review Board at their January 8, 2015 to discuss a rezoning request from Stephanie Hayes, owner of 1100 and 1102 Maplewood Avenue from TH-1 to R-1. Mrs. Griffin explained that a work session is not a public hearing. Audience participants cannot speak regarding a matter unless approved by the Planning Commission.

NEW BUSINESS

1. Discussion of the request submitted by Stephanie Hayes, to rezone property identified as 1100 and 1102 Maplewood Avenue, from TH-1(Tourist/ Historic District) to R-1, Residential, Low Density District and to amend the Official Zoning Map of the City of Hopewell.

Stephanie Hayes, the applicant approached the Planning Commission and asked they recommend approval of the rezoning of 1100 and 1102 Maplewood Avenue from TH-1 to R-1 as requested at the January 8, 2015 Planning Commission public hearing.

Mrs. Griffin explained that at their January 8, 2015 meeting, the Planning Commission asked four questions of the Architectural Review Board. Those four questions were:

1. Why properties were allowed to be out of the district along Maplewood Avenue and this property was not included?
2. The opinion of the ARB -Why should the properties remain in the district/why should they be rezoned?
3. What is the benefit of keeping the properties in the district? How will this benefit the City?
4. What does not contribute to the district's historic character mean?

Commissioner Eliades asked about the use of tax credits in the district; how does it work and if it is a matching program. Based on a write up provided by the Architectural Review Board to the Planning Commission tax credits were an option for property owners to rehabilitate their home. He asked the members of the ARB to speak to this notion.

Mr. Townes responded by explaining the difference between the state and federal tax credit program. Available for properties buildings in historic districts, both allow a reduction in real estate taxes. State tax credits are available for owner-occupied, and income-producing buildings. The federal tax credit program is set aside for income-producing buildings. The state program allows for a 25% credit against taxes imposed while the federal tax credit program allows for 20% reduction, for a total of 45% if a property meets both criteria. Commissioner Eliades asked if anyone that owned property within the district had taken advantage of the tax credit program in the last ten (10) years. The ARB and Staff did know of anyone that had taken advantage of historic tax credits during this time frame.

The Commission also asked about the Community Development Block Grant program. Mrs. Griffin explained to the Commission that Staff and the ARB spearheaded a CDBG project in the district. Low to moderate income homeowners were encouraged to apply for exterior rehabilitation work. The City hired professional consultants to help determine the properties that should be served based on strict criteria that included safety, cost, location, and need. Five different property owners took advantage of the grant.

Ms. Hayes was asked if she had participated in any of these grants. She said yes the Community Development Block Grant that improved her deck.

Mary Calos, Chairman of the Architectural; Review Board stated that tax credits have been used in the downtown historic district on several projects. It was added by Vice Chairman Townes of the ARB that over 100 tax credit projects have been completed statewide in the past year. It is a popular program and-can be applied to varying situations.

The Commission continued with discussion about the CDBG Grant. The project was funded in 2008 and the last work was completed on a home in 2009.

Commissioner Jones asked if the City tracked the use of tax credits by residents in the district. Mrs. Griffin stated that her office has provided information to people about tax credits and guided them through the process, but she is not aware of anyone that has taken advantage of the program.

Commissioner Jones asked about the time frame of the creation of the district. The district was listed on the National Register for Historic Places in 1979 and the local historic district was created in 1983. Commissioner Jones concluded that since its inception in 1983, no one has taken advantage of the tax credit program. Mr. Townes advised Commissioner Jones that the tax credit program did not begin until the mid 1990's. He also added that the national program is an honorific designation.

Chairman Calos also mentioned that in addition to tax credits there are other grant programs that are available and are proliferating as we speak. The economics in this particular venue are large. It is economically feasible for the City. Between City Point and the Downtown District, the tax incentive program will be good.

Mr. Townes added that tax credits were used to rehabilitate the Beacon Theater, Mallonne Lofts and the Butterworth's Lofts.

Commissioner Eliades asked the applicant about her economic hardship. She was asked what she was being asked to spend to stay within the realm of the historic district.

Ms. Hayes, talked about the proposal provided to her by the ARB for putting on the muntins for eleven windows. She mentioned meeting with members of the ARB to discuss a compromise concerning the muntins. She stated that she was provided the names of several non-profit organizations that could possibly help here finance windows after removing the older windows. The names provided were the Cameron Foundation and the John Randolph Foundation. Neither provided funding for her project. She also stated that the ARB suggested adding muntins to the windows for \$1200, labor not included. She asked the ARB if they would give her the money for this; and they will not. The total cost of her adding new windows and a portion of siding on her house was \$5500.00. Chairman Calos asked Mrs. Griffin to provide insight into the window placement.

Mrs. Griffin gave an overview by stating that the applicant placed the windows without a certificate of appropriateness. The use of vinyl windows was not the issue. Because of the age of the home, vinyl windows were acceptable, however, the profile of the window was not acceptable because it did not match the profile of the window removed. The ARB offered a

remedy for her to affix raised muntins to the windows. According to Mrs. Griffin, the final cost is \$300, labor not included. The applicant was taken to court because she did not get a certificate of appropriateness to make changes to her home. Ms. Hayes then stated that she did get a certificate of appropriateness after she was informed to get one but was still taken to court. Mrs. Griffin stated that this is true because the applicant's certificate was denied, and she has not changed the windows to be in accordance with what the ARB approved.

Mrs. Griffin stated that \$1300 was the original cost but the ARB was able to find products for \$300.

Mrs. Griffin explained the Certificate of Appropriateness case, the court proceedings and the proposal by the ARB.

Mr. Townes explained the concept of exterior muntins/grilles. Mrs. Griffin illustrated this using the window in City Council Chambers.

Commissioner Eliades addressed Ms. Hayes. He stated that he would like to see the specific issues fixed that the ARB is asking you to do; essentially those things that are causing you to want to take the home out of the district. He wants to figure out a way to get past the infraction.

Commissioner Jones asked Ms. Hayes if she had been to court. She answered yes, about a year ago. Commissioner Jones added it that this case has been going on for two years.

Commissioner Eliades asked how some houses were taken out of the district.

Chairman Calos read the answer provided by the Architectural Review Board.

Mrs. Hayes asked what is the Maplewood Avenue extension.

Mrs. Griffin explained that Maplewood Avenue extension is an extension of Maplewood Avenue but does not meet minimum road standards authorized by the Virginia Department of Transportation. It is a part of the City's road system.

Commissioner Eliades asked what it means to take these properties out of the historic district. He asked what would be the effect on the district? Mr. Townes answered. He stated the City Point historic district is a small district. Every property has a direct physical relationship with each other and is important for the continuity of the district.

Mrs. Hayes asked if Reuben Gilliam could speak in regards to Maplewood extension. She felt he would be able to speak to Maplewood Avenue extension.

Commissioner Eliades stated that the information discussed by Mr. Gilliam should be new information not presented at the last meeting. Comments should last no longer than three minutes.

A motion was made by Commissioner Eliades to allow Reuben Gilliam to speak. Commissioner Jones seconded the motion. The motion was approved with a vote of 4 to 0.

Mr. Gilliam stated that Maplewood extension and 501 Prince Henry were supposed to be removed from the historic district. He suggested that there technical issues. Maplewood extension was a part of the property his father came to City Council to have the property removed. Maplewood extended at 503 Prince Henry were supposed to be removed from the

district. He does not know how the final ordinance was written. The argument made by the ARB regarding Prince Henry is not relevant because the applicant is not on Prince Henry Avenue. If the Architectural Review Board has an agenda, they should provide funding to help property owners make suggested improvements to their home. Ms. Hayes would have to research tax credit by herself. This is a cumbersome process. If the ARB was providing someone to file the paperwork and she was just left to sign on the dotted line this would be acceptable. If she can't maneuver through the process she loses out. He spoke regarding the insignificance of a muntin. He employed the Planning Commission to do what was fair. He mentioned the property on Francis Street that was let out. She was supposed to be let out. His word should not be suspect and the Architectural Review Board golden. She will fix up her house according to the money she has; and that would be appropriate.

Commissioner Eliades made a motion to allow Brenda Pelham of 1816 Stewart Avenue to speak. The Mayor stated that she was speaking as a Commissioner Jones seconded the motion. Mrs. Pelham asked if research had been conducted regarding the CDBG program and whether the grant would cover the windows replaced. Commissioner Jones asked if City Council could provide a matching grant to assist with funding. Ms. Pelham stated that such a suggestion for City Point and the downtown historic district should be placed on the agenda.

It was mentioned that the properties in question were inherited from the applicant's mother.

Vice Mayor Jasmine Gore mentioned that she did place request on Council's agenda to provide funding to help homeowners in the district. It was suggested that the Architectural Review Board and Planning Commission could write a letter to City Council making a request for

Chairman Calos informed the meeting attendants of the Virginia Commonwealth University's (VCU) studio project study of the City Point Historic District. The kick off meeting will be held on Tuesday. Mrs. Calos is confident the plan that the study will be beneficial to everyone in providing recommendations on ways to improve the district. Commissioner Eliades is a member of the advisory committee. He will be able to see the project come together. She asks that everyone be patient with any decision to see the work that will be done.

Commissioner Jones made a motion for Cheryl Collins to speak. Commissioner Eliades seconded the motion. The motion passed with a vote of 4 to 0.

Cheryl Collins of 600 Brown Avenue spoke in regards to her role in helping the Beacon Theater prepare tax credit application in October 2008. According to her the historic tax credit process is a difficult process and is too cumbersome for a property owner. She feels strongly that the applicant's property should be removed from the TH-1 Zoning District. According to Ms. Collins an applicant has to put a lot of money in and hope the work that is done that is approved. The paperwork must be certified by an accountant. Ms. Collins also discussed the cost differentiation between a requests and actual credit received.

Ms. Collins stated that the one thing missing from this process was talking to the people that live in the historic district. She realized this is a tough decision. Three houses across the street from her were given the opportunity to opt out of the district when it was formed. This

is 2015 the economy is different. In order to make improvements to her house she would have to adhere to guidelines which would be expensive. She sent an email regarding a neighbor who switched windows without getting a certificate of appropriateness. There is no more value to the capacity. According to Ms. Collins, the approval of the new guidelines implies that people are not smart enough to approve their home. Must look in the district and was a member for eighteen months. The City should take a couple of steps back. City Point sits on two of the most beautiful rivers in the City. She asserted that the district is holding back on improvements to district's housing structure and the district's overall improvement. The will question the Planning Commission must ask is how removing Ms. Hayes from the district impact the City of Hopewell.

Mrs. Griffin, informed the Planning Commission that the violation took place on a holiday, that the complaint was received last and that Staff was actively pursuing the complaint. The person that put the windows in will go through the same process that anyone will that did not get a certificate of appropriateness.

Commissioner Eliades stated his concern. He will review the addendum provided by the National Park Service. He is concentrating on the money issue. Hate to think the money thing will get you in and out of the district. The maps have been drawn but the genesis for the applicant is the money issue. If there is some way to remove the money issue there is no reason to remove you from the historic district.

Commissioner Jones has hard questions about the National Park Service. He asked what they will do with the Bonnacord House and the Alderholt Hunter House. Chairman Calos explained the land swap between the National Park Service and has to go into a bill clearing the position of the house. We are waiting for Congressman Forbes to inform us if the expansion of the Petersburg Battlefield City Point Unit Historic District is approved through Congress. Mr. Townes added that the ARB has been in an extensive discussion with the Park Service regarding preventive maintenance for the Bonnacord House. The gutters need to be unclogged, branches clipped away from the house and other maintenance issues.

There was discussion about the timeframe to make a decision regarding this application. It was concluded the Planning Commission has 90 days from the public hearing to make a recommendation to the City Council.

There was discussion about outstanding questions; if the money was no longer an issue would the applicant still want to be out of the district.

February 5, 2015 is the next meeting. Mr. Wade explained that the Planning Commission could not take a vote at a work session. The applicant was told that the next meeting would begin at 6:00 p.m.

ADJOURN

A motion to adjourn the work session was made by Commissioner Eliades. The motion was seconded by Commissioner Jones. The motion was passed with a vote of 4 to 0.

Respectfully submitted,

Tevya W. Griffin,
Director of Development

Rev. Rudolph Dunbar,
Chairman

**MINUTES OF THE FEBRUARY 5, 2015 MEETING
OF THE PLANNING COMMISSION
CITY OF HOPEWELL, VA**

A meeting of the Planning Commission for the City of Hopewell was held on Thursday, February 5, 2015, at 7:25 p.m. in City Council Chambers, located at 300 North Main Street, Hopewell, Virginia.

Planning Commission Members present:

Rev. Rudolph Dunbar, Chairman
Elliot Eliades, Vice-Chairman
Todd Butterworth
John Jones
Henry Wilde

Staff Members present:

Tevya Griffin, Director of Development
Horace Wade, City Planner

The meeting was called to order by Chairman Dunbar at 7:25 p.m.

Chairman Dunbar provided an opening prayer.

Chairman Dunbar welcomed members and visitors.

Mrs. Griffin conducted the roll call. All members were present. A quorum was established.

ADMINISTRATIVE MATTERS

1. Requests for withdrawal/deferral or amendments to the agenda.

Mrs. Griffin explained that item #1 under unfinished business is not a public hearing as shown on the agenda. The public hearing was held in January 2015.

Mrs. Griffin requested the minutes of the January meeting were moved from administrative matters and placed after unfinished business. ..

A motion to approve the above changes was made by Commissioner Butterworth.

Commissioner Eliades seconded the motion. The motion was approved with a vote of 5 to 0.

2. Meeting Minutes-January 8, 2015

Postponed until later in the meeting.

3. Citizen Comments

There were no citizen comments.

PUBLIC HEARINGS

There were no public hearings on the agenda.

UNFINISHED BUSINESS

1. The Hopewell Planning Commission will conduct a public hearing to consider citizen comments regarding a request submitted by Stephanie Hayes, to rezone property identified as 1100 and 1102 Maplewood Avenue, from TH-1 (Tourist/Historic District) to R-1, Residential, Low Density District and to amend the Official Zoning Map of the City of Hopewell.

Mrs. Griffin gave an overview of the case and provided an overview of the January public hearing, and the subsequent work session held between the Planning Commission and the Architectural Review Board.

Commissioner Butterworth asked who built the house. The applicant's mother built the house.

Commissioner Butterworth made a motion for Reuben Gilliam to speak. Commissioner Eliades seconded the motion. The motion was approved with a vote of three (3) (Chairman Dunbar, Commissioner Butterworth, & Commissioner Eliades) to two (2) (Commissioner Wilde and Commissioner Jones).

Reuben Gilliam, neighbor to the applicant, stated that the only issue, when her grandparents subdivided the property is that they were under the impression the property was taken out of the district. It was believed that all of Maplewood extension was removed from the historic district. According to Mr. Gilliam, when her mother went to get the building permit for the home she was told she had to go through the Architectural Review Board. She did this because this was what she was told. She did not ask questions of the requirement.

There was a brief discussion about spot zoning along Maplewood Avenue on the property Mrs. Gilliam's parents owned during the formation of the district.

Commissioner Jones asked if the history of the case mattered if someone is considering a rezoning. Should it matter the time she purchased property, or if she knew about the property being in or out of the district.

Commissioner Butterworth stated that he thinks the exemption of some property out of the historic district when the district was first formed does matter. He wants to establish there was no fraud.

Commissioner Jones asked Mr. Gilliam if the applicant's house was taken out of the district would he stay in the district or would he also request to be rezoned out of the district.

Mr. Gilliam answered by stating that he purchased the property 505 Prince Henry Avenue to enhance the property he owned along Maplewood Avenue. He does not like to live under the rules of the Architectural Review Board, however, he will keep 505 Prince Henry in the

district if it will help the applicant. He stated that he believes the Planning Commission would have a pretty good argument to keep his property at 505 Prince Henry in the historic district because, unlike Ms. Hayes' home, this home is historic.

Commissioner Jones stated that he was just asking this question to gain an idea about the preservation of the district. He is concerned that this rezoning may cause others to request the same and wanted to understand Mr. Gilliam's thoughts about rezoning his property since it is adjacent to the applicants.

Commissioner Wilde stated that it is good to hear the history, however, the issue at hand is that the applicant does not have the resources to keep the facility up.

Commissioner Eliades stated that he does not feel comfortable rezoning this property until the City Council provides more direction on the historic district. He is concerned about the future of the historic district. There has been a lot of discussion about the district, and from this rezoning application, several issues have been voiced concerning the formation of the district. City Council should look at a funding mechanism to improve the district. Commissioner Eliades stated that he believes there should be a broader discussion of the historic district where a larger group reviews topics such as the size of the district, which homes are in the district, or should any homes be added or removed. He concluded by stating that the City should study and determine the future of the district on a broad scale. He contends that the rezoning process reviews the district from a smaller scale; individually for each property owner.

Commissioner Eliades stated that he would like to rezone 1102 Maplewood from TH-1 to R-1, as recommended by Staff and to deny the request by the applicant to rezone 1100 Maplewood Avenue from TH-1 to R-1 also recommended by Staff.

Mrs. Hayes stated that she believes the Planning Commission is stuck on the money. If she is taken out of the district she will be able to make improvement to her house that she can afford.

Commissioner Eliades asked Ms. Hayes what would happen if she got the money she needed to repair the home.

Ms. Hayes stated that she believes her house was put in the district when it wasn't supposed to be. She wants to get out of the district. She can't afford it. She asked what the Architectural Review Board wants her to do.

Commissioner Eliades voiced his concern that there may be other residences in the district that need to be removed from the district. He sees this as a land use issue. He does not think changes to the historic district should be done on a case-by-case basis. It is Commissioner Eliades opinion that there needs to be a plan to remove and keep properties, and to amend district boundaries. He concluded by saying that he thinks the applicant's property should be out but not through this process. Funding should be provided short term and the boundaries amended long term.

Mr. Gilliam asked to speak. He asked the Planning Commission to remove the applicant's property from the district now and that City Council can allow the Planning Commission to review the district. Be believed that was a great compromise. The other way is holding her hostage.

Commissioner Eliades made a motion to approve the request to rezone 1102 Maplewood Avenue from TH-1 to R-1, as recommended by Staff because it does not contribute to the historical significance of the district, according to the National Historic Inventory Form. Commissioner Jones seconded the motion. The motion passed with a vote of 5 to 0.

Commissioner Jones added he doesn't see why one property should be rezoned and the other stays in, referring to Francis Street.

A motion was made by Commissioner Butterworth to rezone 1100 Maplewood Avenue because it does not add to the historical significance of the district. He went on to say that he believes if the owner had asked at the beginning to be out they would have been out. They were only two properties along a street that was left in the district when an exemption was made. Commissioner Eliades seconded the motion. The motion passed with a vote of 5 to 0.

Mrs. Hayes thanked the Planning Commission for their recommendation.

Chairman Dunbar asked Staff what would happen if there was no TH-1 District.

Mrs. Griffin described the difference between a local historic district and a federal historic district. A federal district does not require a local zoning designation, design guidelines, and an architectural review board. A local historic district designation requires both. If the TH-1 district were removed as a zoning district, the structures and properties would not be required to follow guidelines, thereby jeopardizing the structures historical value.

Commissioner Eliades stated that the City Council needs to address the TH-1 District as an entire area. One or a collaboration of City staff, the Architectural Review Board, the Planning Commission, and the Comprehensive Plan process regarding the future of the City Point Historic District can conduct a study. Commissioner Eliades contends that the Planning Commission needs backing from City Council to know what is the plan for the historic district.

A motion was made by Commissioner Eliades to direct Staff to ask City Council these questions and to conduct an update of the inventory form. Commissioner Jones seconded the motion. The motion passed with a vote of 5 to 0.

Commissioner Jones asked Staff if there were other homes in the district that were built after the local historic district was established besides that of Ms. Hayes. Mrs. Griffin mentioned a home located on Cedar Lane.

2. Time of Planning Commission Meetings.

Staff informed the Planning Commission that as a courtesy Staff will inform the City Council of the change in the time of the Planning Commission meetings from 7:00 p.m. to 6:00 p.m. at their next meeting on February 10, 2015 meeting.

3. Comprehensive Plan

Mrs. Griffin informed the Planning Commission that the Director of the Hopewell Redevelopment and Housing Authority made additional revisions to the Request For Proposals (RFP) for the Comprehensive Plan. She also informed the Planning Commission that the Assistant City Manager continues his review of the RFP. There has been some discussion of a waterfront plan an important element to the economic development of the City. The Planning Commission discussed the idea of conducting a stand alone waterfront plan separate from the Comprehensive Plan process or whether to include a waterfront plan as an element within the Comprehensive Plan. Commissioner Eliades asked Staff asked the estimated time frame for both processes to be complete if citizen comments were included versus not included. Mrs. Griffin suggested 90 days versus 60 days.

Commissioner Eliades suggested keeping the waterfront development plan in the Comprehensive Plan, but moving fast on the waterfront Plan; making this the first element of review and product gained from a consultant. This portion of the plan should include citizen comment.

Both Commissioner Wilde and Commissioner Butterworth believed this to be the most optimal idea.

A Commissioner asked, if separated, what funds would be used to cover the waterfront plan. Staff answered that funding would come out of the Comp Plan budget.

Commissioner Eliades and Mrs. Griffin discussed the pro's and con's of removing the waterfront element and leaving it in the Comprehensive Plan.

Commissioner Wilde voiced his concern about the time it has taken to place a welcome sign on Route 36. He contends that this project has taken years. Staff stated that they could not speak to how long the project had been promised. Mr. Wade has been working closely on this project for the last three to four months and assured the Commissioner that the sign has been ordered and that the City was waiting for approval from the Virginia Department of Transportation to install the sign. Commissioner Wilde also asked about the placement of the LOVE sign in front of the Visitor's Center. Mrs. Griffin informed the Commission the sign was a part of a statewide campaign to promote tourism. A local artist made the sign and each letter represents an important element of Hopewell.

Councilor Gore was a guest in the audience and was asked if she had any comments. A motion was made by Commissioner Eliades to allow Councilor Gore to address the Planning Commission. Commissioner Jones seconded the motion. The motion passed 5 to 0.

Councilor Gore stated that she was speaking for herself and not representing City Council. She stated that she is asking for quarterly meetings with Commissions/Boards of City Council, and this would include the Planning Commission.

She spoke in regards to the City Point Historic District and the previous vote made by the Planning Commission regarding the rezoning of 1100 and 1102 Maplewood Avenue. She stated that the approval of the new architectural guideline manual for the district was as endorsement by the City Council in favor of the historic district. She stated that there were

two public hearings and at least two meetings with owners/residents initiated by the City Council. The new book advocates for the Architectural Review Board (ARB) to revisit the guidelines every six months. She feels that City Council has addressed the issue of if they want to have a historic district by approving the guidelines. She contends that asking for this to be revisited would go back full circle and open another issue with the ARB.

Commissioner Eliades stated that the guidelines are good. However, he questions whether the current boundaries of the district are the correct boundaries. He wants to know if the City Council stands by the current boundaries. This is important as requests to rezone out of the district are reviewed by the Planning Commission.

Commissioner Jones stated that he tried not to look at the applicant's history in making the decision.

Councilor Gore stated that this entire rezoning case heard tonight is about the history. It is Councilor Gore's opinion that the request was based on the fact she did not follow the guidelines. Councilor Gore reminded the Commission that she served on the ARB prior to being elected and was very acquainted with the property.

In regards to the Comprehensive Plan, Councilor Gore stated that she is on team Comprehensive Plan. The Council finally voted to fund the project. She has been concerned that Council has not seen a RFP. She contends that the Comprehensive Plan process should be done as it was presented to City Council when they voted for it last year during the budget cycle. She believes it would be almost impossible to find new money to fund a waterfront plan.

Councilor Gore also stated her concern with the uniformity of buildings in the City.

She is going to request to add metal carports and the historic district to the February 17, 2015 agenda.

NEW BUSINESS

None

REPORTS OF COUNCIL, BOARDS & COMMISSIONS

1. City Council-Action Report

Staff reviewed the items listed in City Council's consent agenda for their February 2015. She provided the dates of February 17 and February 24 as work sessions and listed the items that were previously reviewed by the Planning Commission and would be reviewed by City Council during a work session.

Mrs. Griffin also provided an overview of the applications that should appear on the March 10, 2015 meeting as a public hearing.

2. Board of Zoning Appeals-Action Report

Mr. Wade reported that the Board of Zoning Appeals would hold a meeting in January to discuss a special exception request for 224 N. Main Street, formerly known as the Blaha

Building, for signage. The owner wants to increase the size of signage allowed and to add a blade sign, currently not allowed in the district.

3. Architectural Review Board-Action Report

Mr. Wade reported that the ARB is currently working with the VCU committee on a small area plan.

The owner of Maplewood Apartments is reviewing the tax credit program in order to meet property maintenance requirements.

Mr. Wade is also in contact with the contract purchaser for Bank Street garages to resolve violations at this property.

4. Downtown Design Review Committee-Action Report

The DDRC will review the design of the sign at 224 N. Main Street if the signage is approved by the Board of Zoning Appeals.

REPORT OF PLANNING COMMISSION MEMBERS

None

REPORT OF DIRECTOR

Mrs. Griffin gave an update of demolition pipeline.

ADJOURN

A motion to adjourn the meeting at 9:10 was made by Commissioner Butterworth. Commissioner Jones seconded the motion. The motion passed with a vote of 4 to 0.

Respectfully submitted,

Tevya W. Griffin,
Director of Development

Rev. Rudolph Dunbar,
Chairman

R-4

REPORTS OF
THE CITY
ATTORNEY

REPORTS OF
THE CITY
CLERK

Appointments/Reappointments to Boards and Commissions

May 12, 2015

VACANCIES

Talent Bank Resumes on File

Architectural Review Board (4 year term) No TBRs on file
2 vacancies
2 terms through 10.31.2018

Board of Building Code and Fire Prevention Code of Appeals No TBRs on file
1 vacancy (engineer)

Dock Commission (4 year term) No TBRs on file
1 vacancy

Hopewell Redevelopment and Housing Authority 5 TBRs on file
1 vacancy
1 term through 10.31.2016

John Tyler Community College Board No TBRs on file
1 vacancy
1 term 7.1.2015 through 6.30.2019

Keep Hopewell Beautiful (4 year term) No TBRs on file
2 vacancies
2 vacancies

Senior Citizen Advisory Commission (2 year term) No TBRs on file
3 vacancies
1 unexpired term through 10.31.2015
2 terms through 10.31.2018

Social Services Advisory Board (2 year term) 2 TBRs on file
2 vacancies
1 unexpired term through 10.31.2015
1 unexpired term through 10.31.2017

REPORTS OF
THE CITY
COUNCIL

COMMITTEES

INDIVIDUAL REQUESTS

ANY OTHER COUNCILOR

CITIZEN
COUNCILOR
REQUESTS

Cynthia Ames

From: Jasmine Gore <goreje@mail.ycu.edu>
Sent: Tuesday, May 05, 2015 9:01 AM
To: Cynthia Ames
Subject: Fwd: Agenda

Hey Cindy,

Can you please add to the agenda.

CCR-

1) City Council members to submit Advance topics to City Manager for the rescheduling of the City Council Advance and Strategic Plan Update. Submit topics by the next Regularly Scheduled City Council Meeting.

Consensus:

2) City Council to organize and hold a training session with City Attorney and/or VML about Council-Manager form of government, roles or staff, City Council Appointees and City Council, responsibilities and rules of confidentiality. Meeting/training to include Department Directors, City Council, City Council staff, Chairs/Vice Chairs of City Council appointed boards, commissions and/or authorities.

Motion:

3) Create internal policy to address recapping major events and/or emergencies within city. Define structure for findings report, distribution, and compiler. Policy to also include internal communication with government officials.

Motion:

4) Second review of the National League of Cities Public Utility Service Program. Decide if the City will endorse the program and add the item to the next Regularly Scheduled City Council Meeting.

Motion:

9) Set a worksession to review existing plans from city, boards, commission and/or authorities that have new "City Logo's" to confirm and consolidate official list of City Branding. Utilize final logos on all City official correspondence and/or materials. Create official business packet/brochure that highlights incentives and uses official branding logos.

Thank you,

Jasmine

CCR-1

Cynthia Ames

From: Jasmine Gore <goreje@mymail.vcu.edu>
Sent: Tuesday, May 05, 2015 9:01 AM
To: Cynthia Ames
Subject: Fwd: Agenda

Hey Cindy,

Can you please add to the agenda.

CCR-

1) City Council members to submit Advance topics to City Manager for the rescheduling of the City Council Advance and Strategic Plan Update. Submit topics by the next Regularly Scheduled City Council Meeting.

Consensus:

CCR-2

2) City Council to organize and hold a training session with City Attorney and/or VML about Council-Manager form of government, roles or staff, City Council Appointees and City Council, responsibilities and rules of confidentiality. Meeting/training to include Department Directors, City Council, City Council staff, Chairs/Vice Chairs of City Council appointed boards, commissions and/or authorities.

CCR-3

3) Create internal policy to address recapping major events and/or emergencies within city. Define structure for findings report, distribution, and compiler. Policy to also include internal communication with government officials.

CCR-4

4) Second review of the National League of Cities Public Utility Service Program. Decide if the City will endorse the program and add the item to the next Regularly Scheduled City Council Meeting.

CCR-5

7) Request City Council hold a worksession with Finance Director, and City Manager to create an official protocol and policy for budget creation. Policy to include built-in joint worksessions with entities such as the School Administration. Revise proposed timeline and create a system in which the budget recommendations would be finalized before the Tax Rate proposal is presented to City Council.

Motion:

CCR-6

Cynthia Ames

From: Jasmine Gore <goreje@mymail.vcu.edu>
Sent: Tuesday, May 05, 2015 9:01 AM
To: Cynthia Ames
Subject: Fwd: Agenda

Hey Cindy,

Can you please add to the agenda.

CCR-

9) Set a worksession to review existing plans from city, boards, commission and/or authorities that have new "City Logo's" to confirm and consolidate official list of City Branding. Utilize final logos on all City official correspondence and/or materials. Create official business packet/brochure that highlights incentives and uses official branding logos.

Thank you,

Jasmine

PRESENTATIONS
FROM
BOARDS
&
COMMISSIONS

COUNCIL COMMUNICATIONS

ADJOURNMENT