

# **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 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:** Consider Citizen Comments regarding the City of Hopewell to vacate a portion of undeveloped right-of-way situated between Winston Churchill Drive, Arlington Road, and Kolar Street. Specifically, adjacent to parcels: 032-0065, 0320060, 032-0035, 032-0030, 032-0025, 032-0020, 032-0005, 045-0515, 045-0510, 045-0495, 045-0490, & 0450480.

**ISSUE:** The City is requesting the vacation of undeveloped alleys between Winston Churchill Drive, Arlington Road, and Kolar Street. The Alley is located in a portion of the where the new Hopewell Fire Station will be located.

**RECOMMENDATION:** City Administration recommends City Council hold a public hearing to consider the vacation of a portion of alleys adjacent to parcels between Winston Churchill Drive, Arlington Road, and Kolar Street.

Staff & Planning Commission recommend approval.

**TIMING:** City Council action is requested on July 26, 2016.

**BACKGROUND:** Approximately 4,443 square feet of Right-of-Way is proposed to be vacated on undeveloped land slated for development as the new Hopewell Fire Station. Vacation of the alley is required to combine all parcels under an administrative resubdivision plat. The Fire Station will have one Subparcel number.

**FISCAL IMPACT:** None

**ENCLOSED DOCUMENTS:** Staff Report

**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. Wayue Walton, Ward #5
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Arlene Holloway, Ward #2	<input type="checkbox"/>	<input type="checkbox"/>	Mayor Brenda S. Pelham, Ward #6
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Anthony J. Zevgolis, Ward #3	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jackie M. Shomak, Ward #7
<input type="checkbox"/>	<input type="checkbox"/>	Councilor Jasmine E. Gore, Ward #4			



**Vacation of Alley located between Lots 1 thru 11 & 36,  
Dupont Annex, Section 1 & Part of Lots 1-14, 18, & 19,  
Lots 20-22, Hopewell Heights, Block 20**

*Staff Report prepared for the City of Hopewell City Council  
Meeting- July 26, 2016*

*Revised: July 15, 2016*

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

**I. PUBLIC HEARINGS:**

Planning Commission	July 7, 2016	Recommended Approval
City Council	July 26, 2016	Pending

**II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

Requested Zoning:	N/A
Existing Zoning:	B-3, Highway Commercial District & R-3, Residential, High Density District
Size of Area:	Approximately 4,443 square feet
Proposed Use:	Development of Fire Station
Location of Property:	Located between Lots 1 thru 11 & 36, Dupont Annex, Section 1 & Part of Lots 1-14, 18, & 19, Lots 20-22, Hopewell Heights, Block 20
Election Ward:	Ward 6
Land Use Plan Recommendation:	Commercial
Strategic Plan Goal:	N/A
Map Location(s):	

**III. EXECUTIVE SUMMARY:**

The City of Hopewell is requesting the vacation of alleys between Winston Churchill Drive, Arlington Road, and Kolar Street. The alley is located in a portion of the new Hopewell Fire Station .

**IV. STAFF ANALYSIS:**

The City is requesting the vacation of approximately 4,443 square feet of an alley. Adjacent parcels to the alley are zoned (B-3) Highway Commercial District and (R-3) Residential, High Density District.

This vacation simply removes the alley from the site and consolidates Sub-Parcels #032-0065, 032-0060, 032-0035, 032-0030, 032-0025, 032-0020, 032-0005, 045-0515, 045-0510, 045-0505, 045-0495, 045-0490, 045-0485, & 045-0480 that is now divided by the alley. The Sub-Parcels are currently 93,871.8 square feet or 2.155 acres. The vacated alleys would increase the square footage of Sub-Parcels by 4,443 square feet to 98,315 square feet or 2.257 acres.

The Hopewell Fire Station will be located entirely on a new Sub-Parcel #032-0066 after an administrative re-subdivision application is approved.

**V. PUBLIC SERVICE AND SITE CONSIDERATIONS:**

There are no land characteristics that would impede the approval of the alley vacation. There is no objection from City departments regarding this vacation.

**VI. STAFF RECOMMENDATION:**

Based on the above review comments, Staff recommends approval of the request submitted for the vacation of the alley as it will not impede future development or redevelopment. The Comprehensive Plan designates this area for commercial use.

**VII. PLANNING COMMISSION RECOMMENDATION:**

In accordance with City Council's Right-of-way Vacation Policy, The Planning Commission recommends *approval* of the request submitted by the City of Hopewell to vacate the alley located between Lots 1 thru 11 & 36, Dupont Annex Subdivision, Section 1 & Part of Lots 1-14, 18, & 19, Lots 20-22, Hopewell Heights Subdivision, Block 20.

**VIII. RESOLUTION:**

In accordance with City Council's Right-of-way Vacation Policy, Hopewell City Council [*approves / denies*] the request submitted by the City of Hopewell to vacate the alley located between Lots 1 thru 11 & 36, Dupont Annex Subdivision, Section 1 & Part of Lots 1-14, 18, & 19, Lots 20-22, Hopewell Heights Subdivision, Block 20.

Attachment(s):

1. Application
2. Aerial Map of Area
3. Administrative Re-subdivision Plat

City Council Policy No. CC-3

APPLICATION FOR STREET/ALLEY VACATION

I (We) City of Hopewell of 300 North Main Street, Hopewell, VA  
(Names) (Mailing Address)

petition the City of Hopewell to vacate the undeveloped right-of-way situated at: between Subparcels

[0320065, 0320060, 0320035, 0320030, 0320025, 0320020, 0320005, 0450515  
[0450510, 0450505, ~~0450000~~, 0450495, 0450490, 0450485, & 0450480]

between Winston Churchill Dr, Arlington Rd, & Kolar St

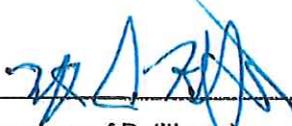
There has \_\_\_\_\_ has not  been previously a petition to vacate this right-of-way.

Attached is a drawing of the right-of-way to be vacated.

There is/are 1 property owner(s) adjoining this right-of-way. Attached is/are the signature(s) of the adjoining property owner(s) and a \$100.00 deposit per property owner.

I (We) agree to pay for two public notice advertisements in the Hopewell News as well as all other costs incurred by me/us associated with this application, regardless of Council's final decision regarding the petition.

I (We) have received Council's Policy concerning right-of-way vacations.

  
\_\_\_\_\_  
(Signature of Petitioner)

\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(Signature of Petitioner)

6/30/16  
\_\_\_\_\_  
(Date)





**PH-2**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE:** Consider Citizen Comments regarding the City of Hopewell to vacate George Street and North 7<sup>th</sup> Avenue between Sub parcels [066-0875], [066-0870], and [066-0685].

**ISSUE:** The City is requesting the vacation of George Street and a portion of North 7<sup>th</sup> Avenue north of West Randolph Avenue. The vacation removes the Right-of-Way from the adjacent parcels and allows the adjacent parcels the potential to expand for development.

**RECOMMENDATION:** City Administration recommends City Council hold a public hearing to consider the vacation of George Street and North 7<sup>th</sup> Avenue.

Staff & Planning Commission recommend approval.

**TIMING:** City Council action is requested on July 26, 2016.

**BACKGROUND:** Approximately 12,570 square feet of Right-of-Way is proposed to be vacated on George Street and North 7<sup>th</sup> Avenue for development expansion of a restaurant located at George Street and North 7<sup>th</sup> Avenue. The City seeks to vacate the unused Right-of-Way to encourage development.

**FISCAL IMPACT:** Real Estate Tax Revenue

**ENCLOSED DOCUMENTS:** Staff Report

**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 S. 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			



**Vacation of George Street and North 7<sup>th</sup> Avenue between Lots 601-603-605 & Pt of George St Vacated, Block 16 & Pt of Lot 710A, Block 12, & Lot 713A, Block 11, Unnumbered Strip N of 708A, Block 11, Lots 711, Block 11, Northwest B Village**

*Staff Report prepared for City of Hopewell City Council*

*Revised: July 18, 2016*

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

**I. PUBLIC HEARINGS:**

Planning Commission	July 7, 2016	Recommended Approval
City Council	July 26, 2016	Pending

**II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

Requested Zoning:	N/A
Existing Zoning:	B-3, Highway Commercial District
Size of Area:	Approximately 12,570 square feet
Proposed Use:	Restaurant
Location of Property:	George Street and North 7 <sup>th</sup> Avenue between Lots 601-603-605 & Pt of George St Vacated, Block 16 & Pt of Lot 710A, Block 12, & Lot 713A, Block 11, Unnumbered Strip N of 708A, Block 11, Lots 711, Block 11 Northwest B Village
Election Ward:	Ward 1
Land Use Plan Recommendation:	Commercial
Strategic Plan Goal:	N/A

**III. EXECUTIVE SUMMARY:**

The City of Hopewell is requesting the vacation of George Street and a portion of North 7<sup>th</sup> Avenue north of West Randolph Road.

**IV. STAFF ANALYSIS:**

The City is requesting the vacation of approximately 12,570 square feet of streets of George Street and a portion North 7<sup>th</sup> Avenue. Adjacent parcels to the streets are zoned (B-3) Highway Commercial District.

This vacation removes the Right-of-Way from around the neighboring parcels and provides the adjacent parcels with the potential to expand for development and not be confined in terms of developing the property adjacent to a Right-of-Way.

**V. PUBLIC SERVICE AND SITE CONSIDERATIONS:**

There are no land characteristics that would impede the approval of the street vacation. There is no objection from City departments regarding this vacation.

**VI. STAFF RECOMMENDATION:**

Based on the above review comments, Staff recommends approval of the request submitted for the vacation of the streets as it will not impede future development or redevelopment. The Comprehensive Plan designates this area for commercial use.

**VII. PLANNING COMMISSION RECOMMENDATION:**

In accordance with City Council's Right-of-way Vacation Policy, The Planning Commission recommended *approval* of the request submitted by the City of Hopewell to vacate the streets of George Street and portion of North 7<sup>th</sup> Avenue located between between Lots 601-603-605 & Pt of George St Vacated, Block 16 & Pt of Lot 710A, Block 12, & Lot 713A, Block 11, Unnumbered Strip N of 708A, Block 11, Lots 711, Block 11, Northwest B Village Subdivision.

**VIII. RESOLUTION:**

In accordance with City Council's Right-of-way Vacation Policy, Hopewell City Council [*approves / denies*] the request submitted by the City of Hopewell to vacate the streets of George Street and portion of North 7<sup>th</sup> Avenue located between Lots 601-603-605 & Pt of George St Vacated, Block 16 & Pt of Lot 710A, Block 12, & Lot 713A, Block 11, Unnumbered Strip N of 708A, Block 11, Lots 711, Block 11, Northwest B Village Subdivision.

Attachment(s):

1. Application
2. Aerial Map of Area

City Council Policy No. CC-3

APPLICATION FOR STREET/ALLEY VACATION

I (We) City of Hopewell of 300 North Main Street  
(Names) (Mailing Address)

petition the City of Hopewell to vacate the undeveloped right-of-way situated at: George Street  
and North 7th Avenue between Subparcels [066-0875] and [066-0685]

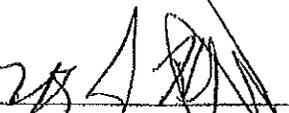
There has \_\_\_\_\_ has not X been previously a petition to vacate this right-of-way.

Attached is a drawing of the right-of-way to be vacated.

There is/are 1 property owner(s) adjoining this right-of-way. Attached is/are the signature(s) of the adjoining property owner(s) and a \$100.00 deposit per property owner.

I (We) agree to pay for two public notice advertisements in the Hopewell News as well as all other costs incurred by me/us associated with this application, regardless of Council's final decision regarding the petition.

I (We) have received Council's Policy concerning right-of-way vacations.

  
\_\_\_\_\_  
(Signature of Petitioner)

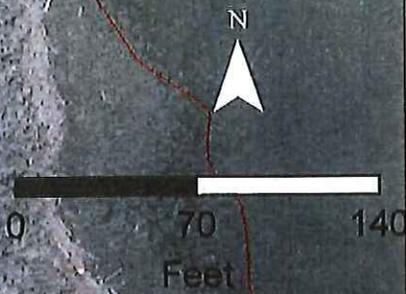
\_\_\_\_\_  
(Telephone Number)

\_\_\_\_\_  
(Signature of Petitioner)

\_\_\_\_\_  
(Date)

**Legend**

 Right-of-Way to be Vacated



**PH-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 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:** Consider Citizen Comments regarding a request by KMRRT LLC to vacate a portion of Poplar Street located at the intersection of Arlington Road and South 15th Avenue, and adjacent to 803 Arlington Road or Sub parcel known as [045-0290].

**ISSUE:** KMRRT LLC is requesting the vacation of an undeveloped portion of Poplar Street to utilize for parking. Currently the site at 803 Arlington Road does not have sufficient parking.

**RECOMMENDATION:** City Administration recommends City Council hold a public hearing to consider the vacation of a portion of Poplar Street adjacent to 803 Arlington Road

Staff & Planning Commission recommend approval.

**TIMING:** City Council action is requested on July 26, 2016.

**BACKGROUND:** Approximately 4,990 square feet of Right-of-Way is proposed to be vacated on an undeveloped portion of Poplar Street. A warehouse building occupies the adjacent parcel at 803 Arlington Road. KMRRT, the owner of 803 Arlington Road, seeks to create parking and to maintain the large portion of Poplar Street.

**FISCAL IMPACT:** Real Estate Tax Revenue

**ENCLOSED DOCUMENTS:** Staff Report

**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 S. 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			



## **Vacation of a portion of Poplar Street adjacent to Lots 14-17, Block 10, Hopewell Heights**

*Staff Report prepared for the Planning Commission's Regular Meeting- July 7, 2016*

*Revised: July 15, 2016*

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

### **I. PUBLIC HEARINGS:**

Planning Commission	July 7, 2016	Recommended Approval
City Council	July 26, 2016	Pending

### **II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

Requested Zoning:	N/A
Existing Zoning:	B-3, Highway Commercial District
Size of Area:	Approximately 4,990 square feet
Proposed Use:	Parking for Warehouse
Location of Property:	Poplar Street adjacent to Lots 14-17, Block 10, Hopewell Heights
Election Ward:	Ward 6
Land Use Plan Recommendation:	Commercial
Strategic Plan Goal:	N/A

### **III. EXECUTIVE SUMMARY:**

The KMRRT LLC is requesting the vacation of a portion of Poplar Street adjacent to 803 Arlington Road [Lots 14-17, Block 10, Hopewell Heights].

**IV. STAFF ANALYSIS:**

KMRRT LLC is requesting the vacation of approximately 4,990 square feet of a portion of Poplar Street adjacent to 803 Arlington Road. The adjacent parcel at 803 Arlington Road is zoned (B-3) Highway Commercial District.

This vacation of the undeveloped street allows for several parking spaces, which would otherwise not be allowed for the adjacent site of 803 Arlington Road.

**V. PUBLIC SERVICE AND SITE CONSIDERATIONS:**

There are no land characteristics that would impede the approval of the street vacation. There is no objection from City departments regarding this vacation.

**VI. STAFF RECOMMENDATION:**

Based on the above review comments, Staff recommends approval of the request submitted for the vacation of the streets as it will not impede future development or redevelopment. The Comprehensive Plan designates this area for commercial use.

Purchase of the right-of-way is not required by the adjacent property owner as the vacated land adjacent to the single adjoining property does not equal or exceed the minimum area [5,000 square feet] necessary to site a building in the B-3 Zoning District.

**VII. PLANNING COMMISSION RECOMMENDATION:**

In accordance with City Council's Right-of-way Vacation Policy, The Planning Commission recommends *approval* of the request submitted by KMRRT to vacate a portion of Poplar Street adjacent to Lots 14-17, Block 10, Hopewell Heights Subdivision.

**VIII. RESOLUTION:**

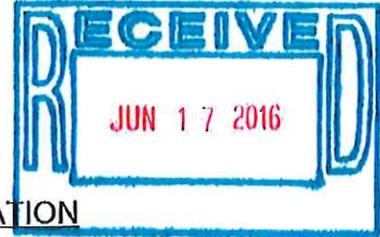
In accordance with City Council's Right-of-way Vacation Policy, Hopewell City Council [*approves / denies*] the request submitted by KMRRT to vacate a portion of Poplar Street adjacent to Lots 14-17, Block 10, Hopewell Heights Subdivision.

Attachment(s):

1. Application
2. Aerial Map of Area
3. Resubdivision Plat

City Council Policy No. CC-3

app# 20160096



**APPLICATION FOR STREET/ALLEY VACATION**

I (We) KMRRT, LLC of 12807 Gloria Ct  
(Names) (Mailing Address)  
Chester, VA 23831

petition the City of Hopewell to vacate the undeveloped right-of-way situated at: portion of  
Poplar Street

There has \_\_\_\_\_ has not  been previously a petition to vacate this right-of-way.

Attached is a drawing of the right-of-way to be vacated.

There is/are NO property owner(s) adjoining this right-of-way. Attached is/are the signature(s) of the adjoining property owner(s) and a \$100.00 deposit per property owner.

I (We) agree to pay for two public notice advertisements in the Hopewell News as well as all other costs incurred by me/us associated with this application, regardless of Council's final decision regarding the petition.

I (We) have received Council's Policy concerning right-of-way vacations.

R. Wilson Managing Member

(Signature of Petitioner)

804-514-8688

(Telephone Number)

\_\_\_\_\_

(Signature of Petitioner)

\_\_\_\_\_

(Date)

160001059

0024

Prepared by:  
Robert B. Hill, VSB#18751  
Hill & Rainey, Attorneys  
2425 Boulevard, Suite 9  
Colonial Heights, VA 23834

TITLE INSURANCE: Investors Title Insurance Company  
TAX MAP# 045-0290

CONSIDERATION: \$85,000.00  
ASSESSMENT: \$108,800.00

THIS DEED, made and entered into on this 17<sup>th</sup> day of May 2016, by and between, STAINBACK PARTNERS, LLC, a Virginia limited liability company, hereinafter referred to as "Grantor", and KMRRT, LLC, a Missouri limited liability company, hereinafter referred to as "Grantee".

**WITNESSETH:** That for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, cash in hand paid by the Grantee to the Grantor, the receipt of which is hereby acknowledged, the said Grantor does hereby grant and convey, with **GENERAL WARRANTY** and **ENGLISH COVENANTS OF TITLE**, unto the said Grantee, in fee simple, the following described property, to-wit:

**ALL** those certain lots or parcels of land together with improvements thereon lying and being in the City of Hopewell, Virginia, and being known, numbered and designated as Lots 14, 15, 16 and 17, in Block 10, Hopewell Heights Subdivision and also all that certain lot or parcel of land with improvements thereon lying, being and situate in the City of Hopewell, Virginia, and known, numbered and designated as Lot 18, Block 10, Hopewell Heights Subdivision shown on a plat duly recorded in the Clerk's Office of the Circuit Court of Prince George County, Virginia in Plat Book 3, Page 38.

**BEING** the same real estate conveyed to Stainback Partners, LLC, a Virginia limited liability company by Trustee's Deed from Robert B. Hill, Substitute Trustee, dated December 17, 2014 and recorded January 8, 2015 in the Clerk's Office of the Circuit Court of the City of Hopewell, Virginia as Instrument No. 150000026.

This conveyance is made expressly subject to all restrictions, reservations, conditions, covenants and easements of record affecting the aforesaid property to the extent that they may lawfully apply.

**HILL & RAINEY**  
ATTORNEYS AT LAW  
2425 BOULEVARD  
SUITE 9  
COLONIAL HEIGHTS, VA  
23834

0025

WITNESS the following signature and seal:



(SEAL)

STAINBACK PARTNERS, LLC  
By: Amir Patel, Managing Member

STATE OF Virginia;  
CITY/COUNTY of Colonial Heights to-wit:

The foregoing instrument was acknowledged before me this 24 day of May, 2016 by STAINBACK PARTNERS, LLC, by Amir Patel, Managing Member.

My Commission Expires: 7-31-19

BRITTANY RAF CHAPPELL  
NOTARY PUBLIC  
REGISTRATION # 7292515  
COMMONWEALTH OF VIRGINIA  
MY COMMISSION EXPIRES  
JULY 31, 2019

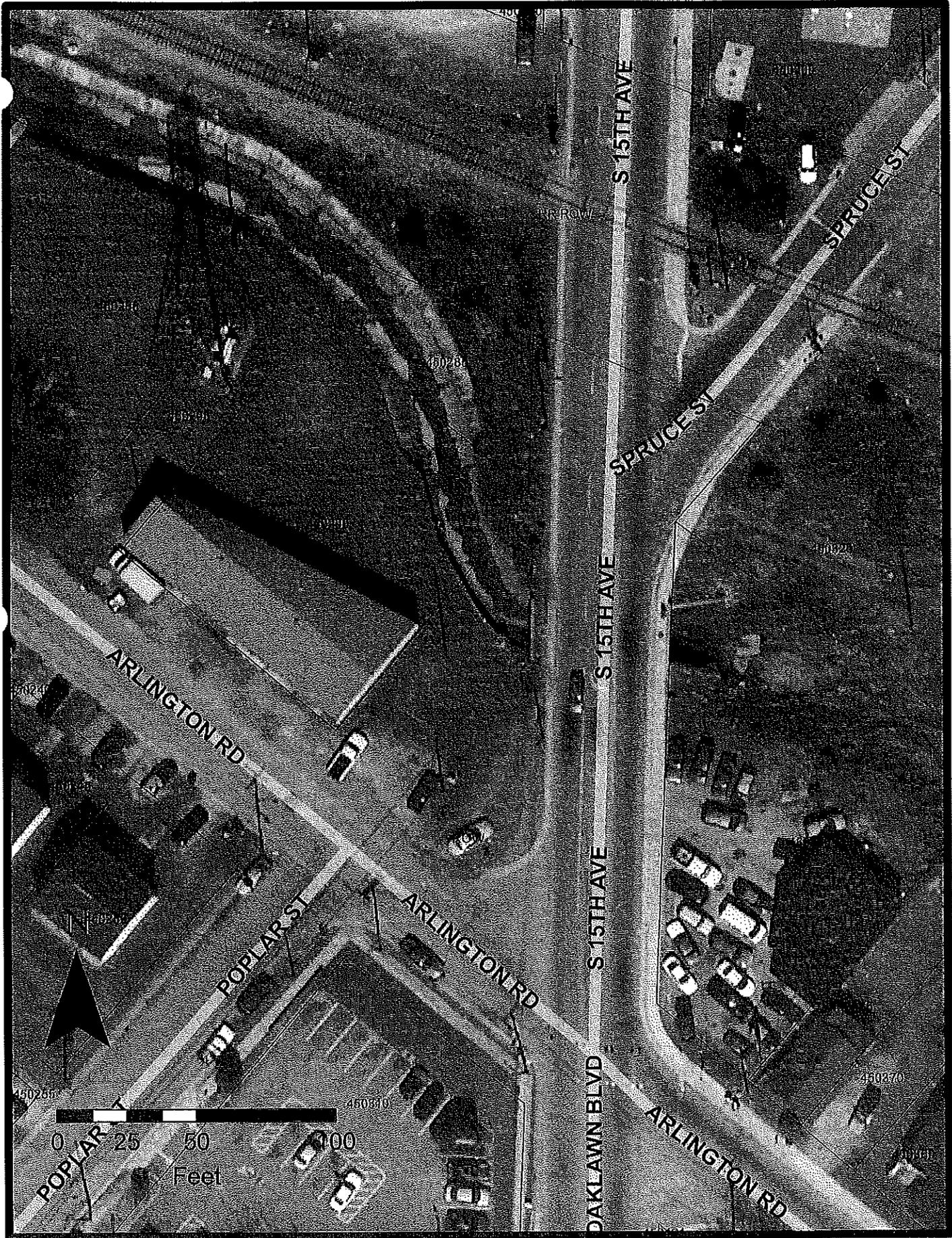
Brittany R. Chappell  
Notary Public

GRANTEE(S) ADDRESS:

12807 Gloria Court  
Chester, VA 23831

INSTRUMENT #160001059  
RECORDED IN THE CLERK'S OFFICE OF  
HOPEWELL, ON  
JUNE 1, 2016 AT 01:29PM  
\$109.00 GRANTOR TAX WAS PAID AS  
REQUIRED BY SEC 58.1-802 OF THE VA. CODE  
STATE: 654.50 LOCAL: \$54.50  
Maisha Brewer  
TAMARA J. WARD, CLERK  
RECORDED BY: MBR

HILL & RAINEY  
ATTORNEYS AT LAW  
2425 BOULEVARD  
SUITE 9  
COLONIAL HEIGHTS, VA  
23834



ARLINGTON RD

S 15TH AVE

SPRUCE ST

POPLAR ST

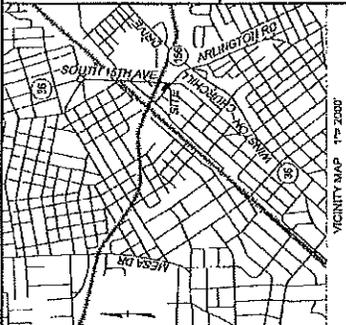
ARLINGTON RD

S 15TH AVE

OAKLAWN BLVD

ARLINGTON RD





**GENERAL NOTES**

- Use Commercial/Industrial Zoning: E2
- Water: Virginia American Water Company
- Drainage: Retainable Ditches and Curb & Gutter
- Area in Lots: 15,265 S.F.
- Area in ROW: N/A
- Full Area: 16,226 S.F.
- Use: Residential
- Drainage, sanitary, water and utility easements are dedicated to the City of Hopewell or the Virginia American Water Company.
- Building Lines: All building lines to conform to the City of Hopewell Zoning Ordinance.
- Based on graphic determination this property is in zone: TBA
- Based on graphic determination this property is in zone: TBA
- Flood Insurance Rate Map, Community Panel #31003000160 dated July 16, 2015.

**CERTIFICATE OF APPROVAL**

This subdivision is shown on this plat, designated as PLAT SHOWING A RESUBDIVISION OF LOTS 14, 15, 16, 17 & 18, BLOCK 10 & THE VACATION OF A PORTION OF POPLAR STREET HOPEWELL HEIGHTS FORMING LOT 14R, BLOCK 10 HOPEWELL HEIGHTS is approved by the undersigned in accordance with existing subdivision regulations and may be permitted to record.

Director of Development  
Date: \_\_\_\_\_

**SUBDIVISION CERTIFICATE**

The boundary lines shown on this plat, designated as PLAT SHOWING A RESUBDIVISION OF LOTS 14, 15, 16, 17 & 18, BLOCK 10 & THE VACATION OF A PORTION OF POPLAR STREET HOPEWELL HEIGHTS FORMING LOT 14R, BLOCK 10 HOPEWELL HEIGHTS is with the free consent and in accordance with two copies of the undersigned consent. The dedication of streets and easements are of the width and location shown on this plat.

Starbuck Partners, LLC  
City/County of Virginia  
The foregoing instrument was acknowledged before me  
This \_\_\_\_\_ Day of \_\_\_\_\_, 20\_\_\_\_ By \_\_\_\_\_  
Notary Public  
My Registration Number: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**SOURCE OF TITLE**

Parcel 104 045-0280 & 045-0285, Lots 14, 15, 16, 17 & 18, Block 10  
The property embraced within the limits of this subdivision was conveyed to Starbuck Partners, LLC by deed dated \_\_\_\_\_ and recorded \_\_\_\_\_ in the Clerk's Office of the Circuit Court of the City of Hopewell, Virginia.

Parcel 104  
The property embraced within the limits of this subdivision was conveyed to Starbuck Partners, LLC by deed dated \_\_\_\_\_ and recorded \_\_\_\_\_ in the Clerk's Office of the Circuit Court of the City of Hopewell, Virginia.

**SURVEYOR'S CERTIFICATE**

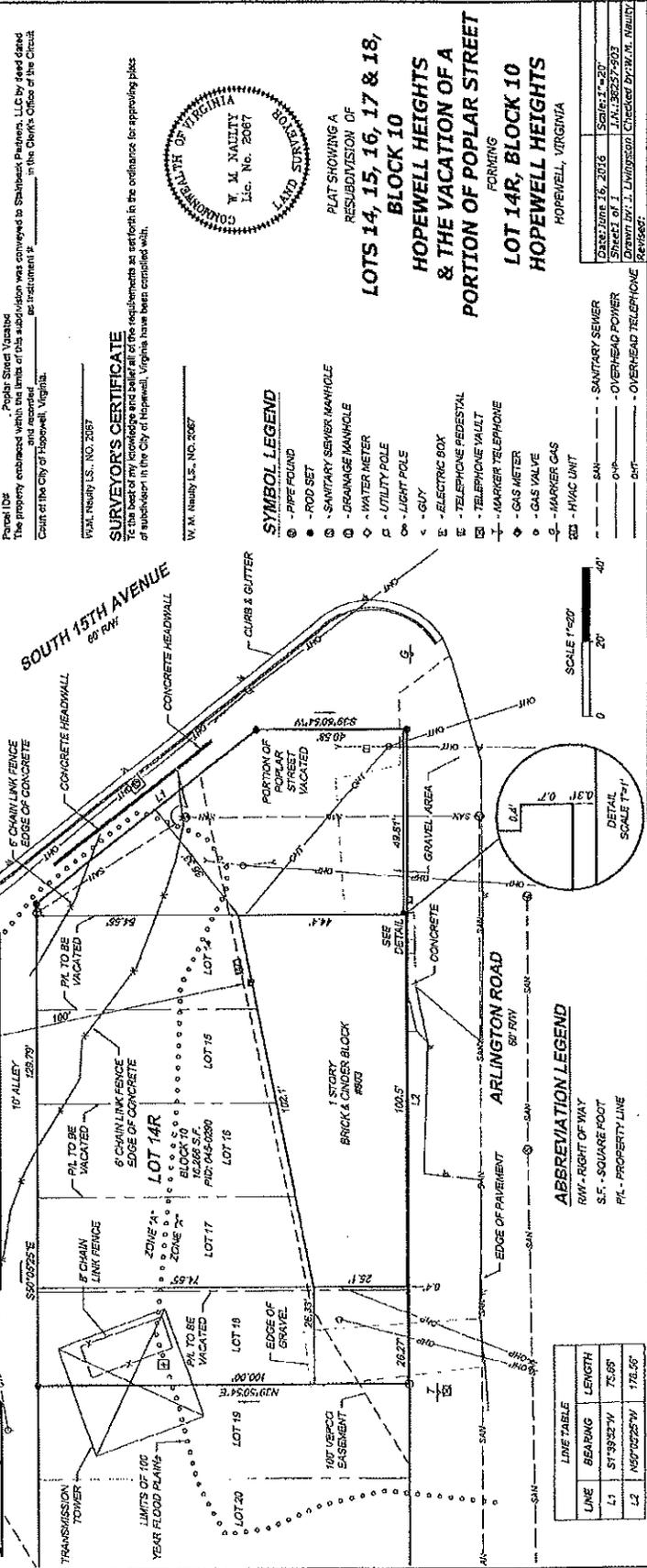
To the best of my knowledge and belief all of the requirements set forth in the ordinance for approving plats of subdivision in the City of Hopewell, Virginia have been complied with.

W. M. Neuhly L.S., NO. 2067

**ABBREVIATION LEGEND**

LINE	BEARING	LENGTH
L1	S1°39'32"W	75.68'
L2	N57°02'25"W	176.95'

R/W - RIGHT OF WAY  
S.F. - SQUARE FOOT  
P.L. - PROPERTY LINE



**SYMBOL LEGEND**

- - PIPE FOUND
- - ROD SET
- ⊙ - SANITARY SEWER MANHOLE
- ⊕ - DRAINAGE MANHOLE
- ⊖ - WATER METER
- ⊗ - UTILITY POLE
- ⊘ - LIGHT POLE
- ⊙ - GUY
- ⊙ - ELECTRIC BOX
- ⊙ - TELEPHONE PEDestal
- ⊙ - TELEPHONE VAULT
- ⊙ - MARKER TELEPHONE
- ⊙ - GAS METER
- ⊙ - GAS VALVE
- ⊙ - MARKER GAS
- ⊙ - R/W AC UNIT
- ⊙ - SANITARY SEWER
- ⊙ - OVERHEAD POWER

**SCALE** 1"=20'

**DETAIL** SCALE 1/4"=1'

**PLAT SHOWING A RESUBDIVISION OF LOTS 14, 15, 16, 17 & 18, BLOCK 10 HOPEWELL HEIGHTS & THE VACATION OF A PORTION OF POPLAR STREET HOPEWELL HEIGHTS FORMING LOT 14R, BLOCK 10 HOPEWELL HEIGHTS**

HOPEWELL, VIRGINIA

DATE: June 16, 2016  
SHEET: 1 of 1  
DRAWN BY: J. UNINGSON  
CHECKED BY: M. NEUBLY

W. M. NEUBLY L.S., NO. 2067

**PH-4**



# 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 1<sup>st</sup> Reading
- Approve Ordinance 2<sup>nd</sup> Reading
- Set a Public Hearing
- Approve on Emergency Measure

**COUNCIL AGENDA ITEM TITLE:** Consider Citizen Comments regarding the City of Hopewell requesting to amend Article VIII Planned Developments of the City of Hopewell Zoning Ordinance to add the (B-3) Highway Commercial Zoning District as a permitted district.

**ISSUE:** The City is requesting to amend Article VIII Planned Developments of the City of Hopewell Zoning Ordinance to allow Highway Commercial Districts (B-3) to be included as a zoning district where Planned Developments are permitted. Currently, the (B-3) zoning districts are not included under permitted districts in Planned Developments.

**RECOMMENDATION:** City Administration recommends City Council hold a public hearing to consider the vacation of a portion of alleys adjacent to parcels between Winston Churchill Drive, Arlington Road, and Kolar Street.

Staff & Planning Commission recommend approval.

**TIMING:** City Council action is requested on July 26, 2016.

**BACKGROUND:** Numerous developers have inquired the City on properties throughout the City that are zoned B-3 with plans for multifamily development only to learn that they may develop apartments only after satisfying the requirement of providing a commercial element on the first floor of the development. Developers seeking to develop within Hopewell in the B-3 zoning district also see that the requirements for lot size, lot width, and setback regulations are a potential barrier to development and redevelopment. The addition of the B-3 zoning district to Planned Developments allows flexibility in development. Approval of Planned Developments must be approved by City Council on a case-by-case scenario.

**FISCAL IMPACT:** None

**ENCLOSED DOCUMENTS:** Staff Report

**STAFF:** Charles E. Dane, Assistant City Manager  
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 S. 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			



**Zoning Amendment Request  
Submitted by: City of Hopewell**

**Request to amend** Article VIII-A, Article VIII-E, Article VIII-H of the City of Hopewell Zoning Ordinance to allow B-3 districts to be included as zoning districts where Planned Developments are permitted.

Staff Report prepared for City of Hopewell City Council

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

**I. PUBLIC HEARINGS:**

Planning Commission	July 7, 2016	Recommended Approval
City Council	July 26, 2016	Pending

**II. EXECUTIVE SUMMARY:**

The City of Hopewell is requesting to amend Article VIII Planned Developments to allow Highway Commercial Districts (B-3) to be included as a zoning district where Planned Developments are permitted.

**III. APPLICABLE CODE SECTIONS:**

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

*Article XXI-A, Initiation:*

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

*Article XXI-B, Action by Planning Commission:*

"In recommending the adoption of any amendment to this ordinance, the Planning Commission shall fully state its reasons for any such recommendations,

describing any change in conditions, if any, that it believes makes the amendment advisable and specifically setting forth the manner in which, in its opinion, the amendment would be in harmony with the Comprehensive Plan of the City and would be in furtherance of the purpose of this ordinance."

**Article VIII Planned Developments:**

*Article VIII-A. Where Permitted:*

*Planned Unit Developments (PUD's) shall be permitted in districts R-2, R-3, R-4 and RO-1.*

*Article VIII-E. Density:*

*The permitted density in dwelling units per gross acre shall not be more than the following:*

<i>District</i>	<i>Dwelling Units per Gross Acre</i>
<i>R-2</i>	<i>4</i>
<i>RO-1</i>	<i>4</i>
<i>R-3</i>	<i>8</i>
<i>R-4</i>	<i>15</i>

*Article VIII-H. Maximum Height of Buildings:*

- 1. The maximum height of any building or structure in a PUD district shall be as follows:*
  - a. For a PUD located in Residential District RO-1, the maximum height shall be thirty five (35) feet or two and one half (2 ½) stories from grade.*
  - b. For a PUD located in residential districts R-2 and R-3, the maximum height shall be forty five (45) feet or three (3) stories from grade.*
  - c. For a PUD located in residential district R-4, the maximum height shall be one hundred twenty five (125) feet or ten (10) stories from grade.*
  - d. Belfries, cupolas, chimneys, flutes, flag poles, television antennae, radio aerials, and elevator and stair penthouses are exempt.*

**IV. STAFF ANALYSIS:**

The Planned Unit Development (PUD) is a district that is intended to be developed with a master plan as a cluster type community under one (1) ownership. The location of all improvements are to be controlled in a manner as to permit a variety of housing

accommodations within a planned community with the greatest amount of open area and the least disturbance to natural resources.

The Highway Commercial District (B-3) is a zoning district in which is characterized to provide sufficient space in appropriate locations for a wide variety of commercial and miscellaneous service activities that generally serve a wide area and located along certain existing thoroughfares where a mixture of commercial activities exist and are not characterized by warehousing or heavy trucks. The general character of the B-3 zoning district is that of light commercial such as retail stores, banks, business offices, and restaurants. Currently, there is not much flexibility in the zoning of B-3 zoned properties. If a developer plans to introduce a residential component to a B-3 zoned property, it must be developed as an apartment above a commercial store front. Adding the B-3 zoning district as a district to be developed as a PUD allows property of at least 5 acres to be developed with a master plan to include flexible residential development as well as commercial elements.

Numerous developers have inquired the City on properties throughout the city that are zoned B-3 with plans for multifamily development only to learn that they may develop apartments only after satisfying the requirement of providing a commercial element on the first floor of the development. Developers seeking to develop within Hopewell in the B-3 zoning district also see that the requirements for lot size, lot width, and setback regulations a potential barrier to development and redevelopment.

Adding the B-3 Zoning District as a permitted district for Planned Developments allows potential developers to have flexibility in development while also preserving open space and disturbing the least amount of natural resources as possible. While the developer will be allowed more flexibility in the zoning, the City must still review and approve the concept plan for development.

There are several areas throughout the City that are zoned B-3. The Marina, 295 interchange, and the area around and including Cavalier Square are the main areas considered for Planned Unit Development (PUD). The 2001 Comprehensive Plan entertains the thought of providing new multi-family uses, such as for-sale townhouses, as a preferred means of transitioning between highway strip-commercial frontages and the residential communities that lie behind them.

**V. STAFF RECOMMENDATION:**

Staff recommends approval of the request to amend Article VIII-A, Article VIII-E, Article VIII-H, of the City of Hopewell Zoning Ordinance adding the B-3 Zoning District as a permitted district in Planned Developments.

**VI. PROPOSED RESOLUTION:**

In accordance with Article XXI-B, of the Hopewell Zoning Ordinance, the Hopewell Planning Commission recommended approval at it's July 7, 2016 meeting of the request submitted by the City of Hopewell to amend Article VIII-A, Article VIII-E,

and Article VIII-H of the City of Hopewell Zoning Ordinance adding the B-3 Zoning District as a permitted district in Planned Developments.

**VII. CITY COUNCIL RESOLUTION:**

In accordance with Article XXI-B, of the Hopewell Zoning Ordinance, the City of Hopewell City Council [*approves/denies/tables*] the request submitted by the City of Hopewell to amend Article VIII-A, Article VIII-E, and Article VIII-H of the City of Hopewell Zoning Ordinance adding the B-3 Zoning District as a permitted district in Planned Developments.

Attachment(s):

1. Copy of the Proposed Amendments - Article VIII-A, Article VIII-E, and Article VIII-H.
2. Map of B-3 Zoned Properties throughout Hopewell

**ARTICLE VIII.  
PLANNED DEVELOPMENTS**

**STATEMENT OF INTENT**

This district is intended to permit development in accordance with a master plan of cluster type communities under one (1) ownership or control. Within such communities, the location of all improvements shall be controlled in such a manner as to permit a variety of housing accommodations in an orderly relationship to one another, with the greatest amount of open area and the least disturbance to natural features. A planned unit development may include light commercial facilities to the extent necessary to serve the needs of the particular planned unit development.

**A. WHERE PERMITTED:**

Planned Unit Developments (PUD's) shall be permitted in districts R-2, R-3, R-4, B-3 and RO-1.

**B. USE REGULATIONS:**

Structures to be erected or land to be used for the following uses:

1. Single family detached dwellings.
2. Two family dwelling (duplex).
3. Multi family dwellings.
4. Townhouses.
5. Day nursery or day care center.
6. Neighborhood commercial uses intended to serve the needs of the residents of the Planned Unit Development. Not more than five (5) percent of the gross area of the PUD project shall be devoted to commercial uses.
7. Recreational uses, including club houses, golf courses, pools, tennis courts and similar recreational improvements and facilities.
8. Accessory uses as defined in this ordinance, except no accessory use shall be located any closer than fifty (50) feet to the project property line. For the purpose of the ordinance, boat houses and boat docks are considered as accessory uses.
9. Public utilities such as poles, lines, distribution transformers, meters, water and sewer lines.
10. Off street parking as required in Article XVIII of this ordinance.
11. Signs in accordance with Article XVIII of this ordinance.

**C. AREA REGULATIONS:**

1. The minimum permitted size of any PUD district shall be five (5) contiguous acres. Additional land area may be added to an existing PUD if it is adjacent

(except for public roads) thereto and forms a logical addition to the existing PUD and is under the same ownership.

2. The procedure for an addition shall be the same as if an original application were filed.

**D. FRONT, REAR AND SIDE YARD SETBACKS:**

When no specific details on setbacks and side yards are shown on the concept plan, then those items not specifically addressed would follow ordinary zoning regulations in that district.

**E. DENSITY:**

The permitted density in dwelling units per gross acre shall be not more than the following:

<u>District</u>	<u>Dwelling Units Per Gross Area</u>
R-2	4
RO-1	4
R-3	8
R-4	15
<u>B-3</u>	<u>15</u>

**F. REQUIRED OPEN SPACE:**

1. The required open space shall not be less than fifty (50) percent of the total gross area of the Planned Unit Development.
2. The required developed recreational space shall not be less than ten (10) percent of the total gross area of the Planned Unit Development.
3. Open space shall be defined for the purpose of this Section as the total land or water within the boundaries of a Planned Unit Development, designed and intended for use and enjoyment as open areas, and not improved with a building structure, for use and enjoyment as open areas, and not improved with a building, structure, street, road parking area, or any type of sidewalk except for recreational structures. The open space includes developed recreational space, and shall be accessible and available to all occupants of dwelling units for whose use the space is intended.
4. Developed recreational space shall be defined for the purpose of this Article as that portion of the open space within the boundaries of the PUD which is improved for recreational purposes. Such improvements may include, but shall not be limited to, pedestrian ways and bicycle paths, play lots and playgrounds, tennis courts and swimming and boating areas.

5. All open space, including developed open space, shall be specifically included in the development schedule and be constructed and fully improved by the developer at an equivalent or greater rate than the construction of residential structures.

**G. MANAGEMENT OF OPEN SPACE:**

1. There shall be established a nonprofit association, corporation, trust or foundation of all individuals or corporations owning residential property within the planned development to insure the maintenance of open spaces.
2. When the open space is to be maintained through a nonprofit association, corporation, trust or foundation, said organization shall conform to the following requirements:
  - a. The developer must establish the organization prior to the sale of any lots.
  - b. The membership in the organization shall be mandatory for all residential property owners, present or future, within the planned community and said organization shall not discriminate in its members or stockholders.
  - c. The organization shall manage all open space and recreational and cultural facilities; shall provide for the maintenance, administration and operation of said land and improvements and any other land within the planned community; and shall secure adequate liability insurance on the land.
  - d. The organization shall conform to the Condominium Act, Section 55-79.39 through 55-79.103, Code of Virginia (1950), as amended.

**H. MAXIMUM HEIGHT OF BUILDINGS:**

1. The maximum height of any building or structure in a PUD district shall be as follows:
  - a. For a PUD located in Residential District RO-1, the maximum height shall be thirty five (35) feet or two and one half (2 1/2) stories from grade.
  - b. For a PUD located in residential districts R-2 and R-3, the maximum height shall be forty five (45) feet or three (3) stories from grade.
  - c. For a PUD located in residential district R-4, the maximum height shall be one hundred twenty five (125) feet or ten (10) stories from grade.
  - d. For a PUD located in Highway Commercial District B-3, the maximum height shall be forty five (45) feet or three (3) stories from grade.
  - ed. Belfries, cupolas, chimneys, flues, flag poles, television antennae, radio aerials, and elevator and stair penthouses are exempt.

**I. STREETS:**

Private streets may be permitted in a PUD upon the approval of the governing body, provided that their construction standards are equal to the subdivision standards of the city, and upon the approval of the city engineer, and provided that there are adequate provisions made for the maintenance of said private streets.

**J. UTILITIES:**

Within the PUD, all utilities, including telephone, television cable and electrical systems, shall be installed underground. Appurtenances to these systems which require above ground installations must be effectively screened.

**K. PLANNED MANUFACTURED HOME DISTRICT - PMH:**

1. Statement of Intent: This district is intended to encourage innovations of *manufactured* home development so that the demand for *manufactured* home living may be met by the imaginative design and layout of *manufactured* homes and by the efficient use of open space needed for such dwellings, so that opportunities for better housing and recreation may be provided for occupants of *manufactured* homes; to encourage a more efficient use of land and public services; and, to provide a procedure which can relate the design and layout of a *manufactured* home development to the particular site in a manner consistent with the preservation of the property values of adjoining areas.
2. Where Permitted: PMH districts shall be permitted only in the R-3 district.
3. Use Regulations: Structures to be erected or land to be used shall be for the following uses:
  - a. Manufactured homes.
  - b. Day nursery or day care center.
  - c. Neighborhood commercial uses intended to serve the needs of the PMH development. Not more than five (5) percent of the gross area of the PMH development shall be devoted to commercial uses.
  - d. Accessory uses as defined in this ordinance, except that no accessory building will be closer than twenty five (25) feet from any property line of the project. For the purpose of this ordinance, boat houses and boat docks are considered as accessory uses.
  - e. Public utilities, such as poles, lines, distribution transformers, meters, water and sewer.
  - f. Off street parking as required by Article XVIII of this ordinance.
  - g. Signs in accordance with Article XVIII of this ordinance.
4. Area Regulations:
  - a. The minimum permitted area for any PMH district shall be five (5) contiguous acres. Additional land may be added to an existing PMH district if it is adjacent (except for public roads) thereto, and forms a logical addition to the existing PMH district and is under the same ownership or control.
  - b. The procedure for an addition shall be the same as if an original application were filed.

5. Density: The permitted density shall not be more than eight (8) *manufactured* homes per gross acre.
6. Lot and Yard Requirements:
  - a. The minimum lot size per *manufactured* home shall be four thousand (4,000) square feet.
  - b. The minimum width for each *manufactured* home lot shall be at least fifty (50) feet, except that, for any *manufactured* home unit greater than fifteen (15) feet in width, the minimum lot width shall be one (1) additional foot per foot of *manufactured* home width greater than fifteen (15) feet.
  - c. The minimum lot length for each *manufactured* home lot shall be eighty (80) feet.
  - d. No *manufactured* home shall be placed within twenty five (25) feet of another, provided that, with respect to *manufactured* homes arranged end to end, the distance shall not be less than fifteen (15) feet.
  - e. No *manufactured* home shall be placed less than twenty five (25) feet from the PMH district boundary.
  - f. No *manufactured* home shall be placed less than fifteen (15) feet from any interior streets, walks or common areas.
7. Outdoor Living Space:
  - a. Each *manufactured* home lot shall provide an appropriate outdoor living space to supplement the interior space of a *manufactured* home. Said space shall be hard surfaced, and shall be at least three hundred (300) square feet. The dimensions of this space shall not be less than fifteen (15) feet by twenty (20) feet.
  - b. The outdoor living space shall be convenient to the open areas of the lot and other facilities, fitted to terrain and natural features, and related to anticipated *manufactured* home models.
8. Outdoor Storage Facilities: A storage locker for yard tools and other bulky items shall be provided on each *manufactured* home lot. The locker shall have a storage capacity of at least ninety (90) cubic feet.
9. *Manufactured* Home Stand:
  - a. Required: Each *manufactured* home shall be placed on a *manufactured* home stand, defined for the purpose of this Article as an area which has been reserved for the placement of a *manufactured* home.
  - b. Size: The size of the *manufactured* home stand shall be suitable for the general market which is to be served by the individual proposal and suitable to fit the dimensions of the anticipated *manufactured* homes including *manufactured* home appurtenant structures or appendages.
  - c. Size and Location: The size of the *manufactured* home stand shall be suitable for the general market which is to be served and suitable to fit the

dimensions of the anticipated *manufactured* homes and shall be located at such elevation, distance and angle that placement and removal of a *manufactured* home is practical.

- d. Gradient: There shall be a zero (0) percent longitudinal and adequate crown or cross gradient for surface drainage.
10. Markers for *manufactured* Home Lots: Every *manufactured* home lot shall be clearly defined on the ground by permanent markers. There shall be posted and maintained in a conspicuous place on each lot a number corresponding to the number of each lot as shown on a site plan as required in Article XVI of this ordinance.
  11. Height Regulations:
    - a. The maximum height of any *manufactured* home shall be eighteen (18) feet from grade.
    - b. The maximum height of any building or structure other than a *manufactured* home shall be thirty five (35) feet or two and one half (2 1/2) stories.
    - c. Belfries, cupolas, chimneys, flues, flag poles, television antennae and radio aerials are exempt.
  12. Storage Tanks:
    - a. Gasoline, liquified petroleum, gas or oil storage tanks shall be so installed as to comply with all city, state and national fire prevention code regulations.
    - b. Where oil heating of a *manufactured* home is provided, a minimum of a two hundred fifty (250) gallon fuel storage facility shall be provided on each *manufactured* home lot in an inconspicuous location or manner.
  13. Garbage and Trash Removal: Receptacles of a size and type approved by the City of Hopewell shall be placed in every PMH in such a manner that no *manufactured* home is further than two hundred (200) feet from any receptacle. The receptacles shall be emptied by the owner/operator as frequently as may be necessary but not less than twice weekly, at least three (3) days apart, to ensure that they shall not overflow.
  14. Screening: There shall be a minimum landscaped area, at least ten (10) feet wide, along the PMH district boundary of such height as to screen effectively the PMH from surrounding development.
  15. Skirting: Each *manufactured* home shall have approved skirting around its perimeter to screen its wheels, undercarriage and tongue. Skirting must be installed within thirty (30) days after occupancy of the unit.
  16. Standards: Every *manufactured* home placed in this district shall meet all requirements of the Industrialized Building Code of the Commonwealth of Virginia and shall be labeled as required by the Code.

17. Required Open Space:
  - a. Not less than ten (10) percent of the gross area of the PMH districts shall be reserved as common open space for recreational facilities.
  - b. Said open space shall not include *manufactured* home lots, any area covered by a structure, parking areas, or accessory structures (except recreational structures which may be regarded as ten (10) percent of the required open space), and shall not include proposed street rights of way.
  - c. All open space which is not part of individual *manufactured* home lots shall be preserved for its intended purpose as expressed in the approved site plan. The developer shall choose one (1) or a combination of the following methods of administering said open space:
    - (1) Public dedication to the City of the open space: This method is subject to formal acceptance by the City.
    - (2) Retention of ownership, control and maintenance of the open space by the developer.
18. Streets: Private streets may be permitted in a PMH development, provided that their construction standards are equal to those in the subdivision ordinance of the city and are approved by the city, and provided that adequate provisions are made for the maintenance of said streets.

**L. PLANNED SHOPPING CENTER DISTRICT - PSC**

1. Statement of Intent: The intent of the PSC district shall be to permit the development of neighborhood, community, and regional shopping centers in areas appropriate for commercial land use. It is intended for these shopping centers to be planned with carefully organized buildings, service areas, parking areas, and landscaped open space; to reduce marginal traffic friction to below that which would result from strip commercial development along highways; and to protect property values in surrounding neighborhoods.
2. Where Permitted: PSC districts shall be permitted only in the B-1 and B-2 districts.
3. Use Regulations: Structures to be erected or land to be used shall be for the following uses:
  - a. Banks and financial institutions.
  - b. Bowling alleys.
  - c. Convenience and service establishments such as, but not limited to, barber shops, beauty shops, tailors and automatic self service laundries.
  - d. Night clubs and dance halls.
  - e. Offices, business and professional.
  - f. Pet shops, but excluding boarding kennels on the premises.

- g. Public utilities, such as poles, lines, distribution transformers, pipes, meters, water and sewer lines, booster or relay stations, transformer substations, transmission lines and towers.
  - h. Radio and television broadcasting stations, studios or offices.
  - i. Repair services or businesses, including repair of bicycles, guns, radios, televisions, electrical appliances, locks, refrigerators and other name appliances, shoes, toys, typewriters, watches and clocks.
  - j. Restaurants, excluding drive ins.
  - k. Retail stores not otherwise listed.
  - l. Storage of materials and supplies incidental to the conduct of any permitted use listed herein, provided such storage area is entirely enclosed and is conducted in the same building as the business to which it is incidental or in a building immediately adjacent thereto.
  - m. Theaters, motion picture theaters, and assembly halls.
  - n. Wholesale businesses.
  - o. Off street parking as required by Article XVIII of this ordinance.
  - p. Signs in accordance with Article XVIII of this ordinance.
4. Area Regulations:
- a. The minimum permitted size for any PSC district shall be three (3) contiguous acres. Additional land may be added to an existing PSC district if it is adjacent (except for public roads) thereto, and forms a logical addition to the existing PSC district and is under the same ownership or control.
  - b. The procedure for an addition shall be the same as if an original application were filed.
5. Minimum Landscaped Area: The minimum landscaped open space in any PSC district shall not be less than ten (10) percent of the gross acreage of the lot. Such landscaped open space shall not be generally open to vehicles, and shall be used, in part, to buffer and shield any adjoining residential districts from the adverse effects of shopping center operations.
6. Maximum Height of Buildings:
- a. The maximum height of any building or structure in a PSC district shall be fifty five (55) feet.
  - b. Chimneys, flues, flag poles, television antennae, radio aerials and equipment penthouses are exempt.
7. Requirements when a PSC DISTRICT Adjoins Other Zoning Districts: When a PSC district adjoins another zoning district, the front, side or rear yard setbacks only on the perimeter of the PSC district shall conform to the abutting zoning districts as provided in the zoning ordinance.

8. Design Standards:

- a. The shape of the district shall be suitable for the type of development proposed and shall facilitate safe and convenient ingress and egress as well as vehicular and pedestrian circulation within the district.
- b. Commercial and service uses and structures and their parking areas shall be oriented toward major arterials, minor arterials or collector streets and away from adjacent minor streets in residential neighborhoods or from adjacent residential neighborhoods not separated from the district by streets.
- c. Landscaping or other devices shall be used to screen surrounding residential districts from undesirable views into the PSC district and to screen the PSC districts from undesirable external exposures. In particular, all service and loading areas shall be screened from view from public streets and from first floor windows in adjacent residential districts. Parking areas for more than five (5) automobiles shall, insofar as reasonably possible, be screened from residential view by landscaping, fences, walls or by its location in relation to buildings.
- d. Principal vehicular access for the general public shall be only from major arterial highways or minor arterial highways. Vehicular access from minor streets through residential neighborhoods shall generally be avoided and, where permitted, shall be so located, designed and controlled so as to be primarily for convenience for residents or adjoining residential areas and not for general public access. Pedestrian access may be provided at any suitable location within the district, but shall as a general rule be separated from vehicular access points in order to reduce congestion, marginal friction and hazards. Any traffic signal deemed necessary by the City Council for the continued smooth flow of traffic shall be installed by the City of Hopewell with the developer required to pay a pro-rate share of the cost of installation.

**M. APPLICATION:**

1. Planned development districts shall be established by amendment to the official zoning map, in accordance with the provisions of Article XVI, Site Plan Requirements.
2. The concept plan shall contain the following data, together with supplementary data for a particular development, as reasonably deemed necessary by the director of development or his agent.
  - a. Concept site information:
    - (1) Vicinity map at a scale of not less than one (1) inch = 2000'.
    - (2) Boundary survey including area of the tract related to true meridian or United States Geological Survey grid north.

- (3) Attorney's certificate showing the owner or owners of the subject property, marketable title to the subject property in such owner or owners, names the source of applicant's title or interest in the subject property, and the place of record of the latest instrument in the chain of title for each parcel constituting the tract.
  - (4) Total area of the tract.
  - (5) Abutting street names, width and route numbers.
  - (6) Owners, zoning districts and uses of each adjoining tract.
  - (7) Topographic map with minimum contour intervals and scale acceptable to the administrator.
- b. Concept design information:
- (1) A concept plan, illustrating the location and functional relationship between all proposed land uses.
  - (2) Land use plan or plans showing the location and arrangement of all proposed land uses, including the height and number of floors of all buildings (other than one family and two family dwellings) both above and below finished grade; the building setbacks from the development boundaries and adjacent streets, roads, alleys and ways; the proposed traffic circulation pattern including the location and width of all streets, driveways, walkways and entrances to parking areas; all off street parking and loading areas; all proposed open space areas including common open space, dedicated open space, and developed recreational open space; the approximate location of existing and proposed utility systems of sanitary sewer, storm sewer, water, electrical, telephone and gas lines.
  - (3) A plan or statement showing the location and design of all screening, and indicating the type and height of such screening.
  - (4) A plan or statement detailing the exact number of improved developed recreational open space, and all covenants, restrictions and conditions pertaining to the use, maintenance and operation of common spaces and the percentage of the tract to be used as open space.
  - (5) For a PUD or PMH district, a statement in tabular form of the anticipated residential density and the total number of dwelling units, the percentage of the tract which is to be occupied by structures, and the total floor area (commercial) of all commercial uses.
  - (6) For PSC district, a statement in tabular form of the anticipated commercial floor area.
  - (7) Architectural sketches of typical proposed structures, including lighting fixtures and signs, and landscaping.

- (8) When the development is to be constructed in stages or units, a sequence of the development schedule showing the order of construction of each principal functional element of such stages or units, the approximate completion date for each stage or unit, and a cost estimate of all improvements within each stage or unit.
- (9) A plan or report indicating the extent, timing and estimated cost of all offsite improvements, such as road, sewer and drainage facilities, necessary to construct the proposed development, which plan or report shall relate to the sequence of development schedule if the development is to be constructed in stages or units.
- (10) A statement showing the relationship of the planned development to the comprehensive plan of the city.
- (11) Where required by planning commission, a traffic impact analysis, showing the effect of traffic generated by the project on surrounding roads.
- (12) Where required by planning commission, a fiscal impact analysis, listing city revenue generated by the project and city expenditures resulting from the construction of the project.

**N. REZONING TO PLANNED UNIT DEVELOPMENT DISTRICT:**

1. All terms, conditions, safeguards and stipulations made at the time of the rezoning to planned development status, including the approval of the concept plan, with or without specified modifications, shall be binding upon the applicant or any successors in interest. Deviations from approved plans or failure to comply with any requirements, conditions or safeguards shall constitute a violation of these zoning regulations.
2. The granting of the planned development rezoning, and the approval of the concept plan, with or without specified modifications, shall not constitute the recording of a plat nor shall it authorize the issuance of building permits. Such action shall be undertaken only after the approval of the site plan and the recording of a plat.

**O. SITE PLANS:**

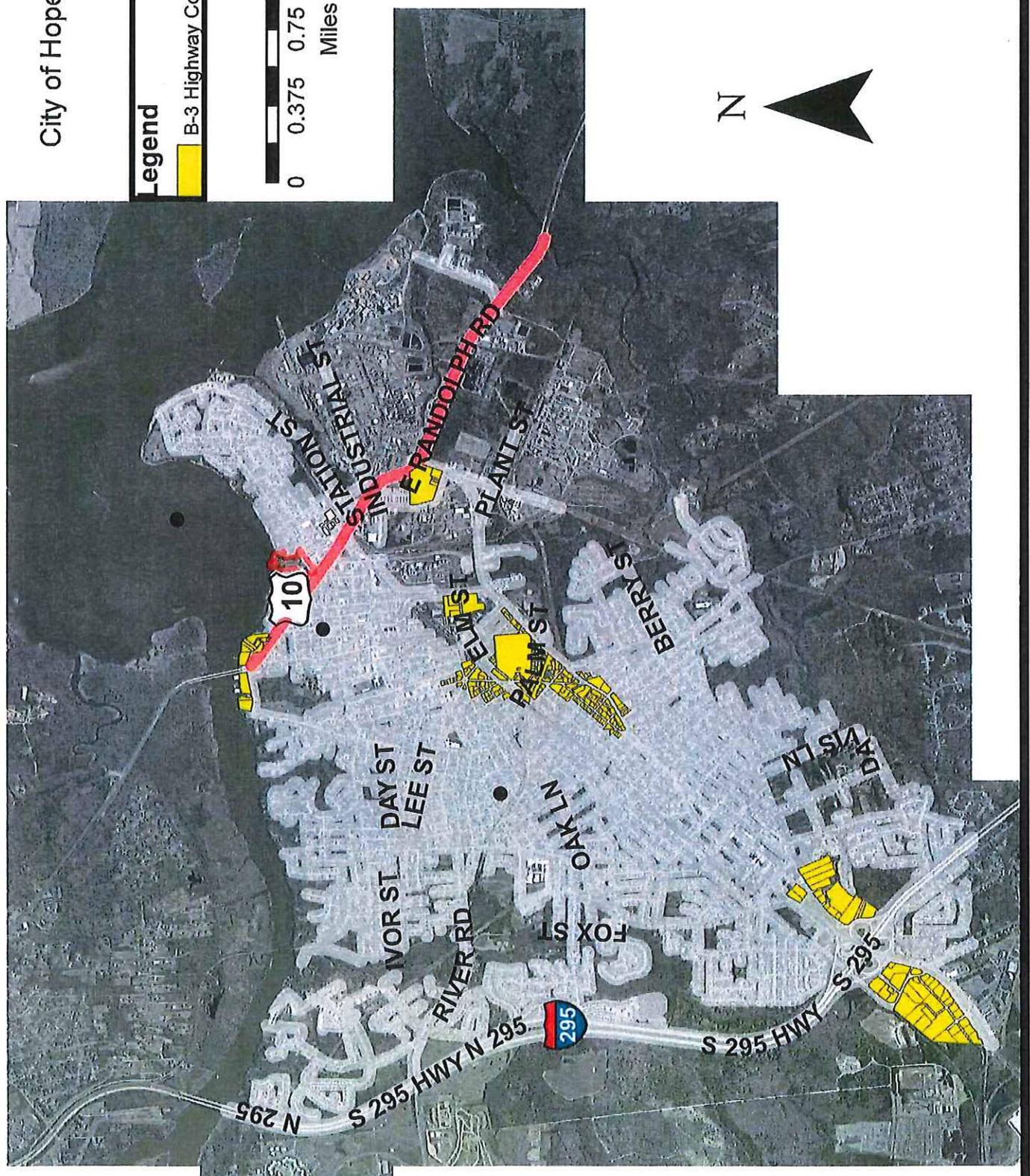
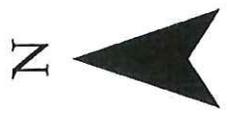
2. Approval of the concept plan and the application for rezoning shall constitute authority for the applicant to prepare site plans in accordance with Article XVI of this ordinance, and in conformity with the approved development plan.
3. The site plans shall be for the entire project, unless the project is staged, in which case the site plans for the first stage shall be submitted.
4. A site plan for a particular development stage, other than the first, shall not be approved until construction has been initiated on the immediately preceding stage or unit.

5. Minor deviations from the concept plan shall be permitted in the site plan when the director of development determines that such are necessary due to requirements of topography, drainage, structural safety or vehicular circulation; and such deviations will not materially alter the character of the approved concept plan, including the proposed development sequence. In no case shall such deviations include the addition or elimination of any building shown on the approved concept plan, increase the density of a PUD or PMH development or increase the floor area of a PSC development. Any changes not authorized by this paragraph shall require resubmission of the concept plan in accordance with the procedures contained in this Article.
6. The first site plan shall be submitted within one (1) year after the date of approval of the development plan. If a site plan is not submitted within said period, approval of the concept plan, and consequent authority to submit a site plan, shall terminate any development by the applicant in accordance with the PUD, PMH and PSC regulations, and shall require a resubmission of a concept plan in accordance with the procedures set forth in this section. Within thirty (30) days prior to the expiration of said one (1) year period, the applicant may apply to the city manager for an extension of time within which to submit a site plan in conformity with the approved concept plan. The city manager may grant such extension, upon good cause shown by the applicant, but extension shall not under any circumstances exceed an additional one (1) year period; and no more than two (2) such extensions may be granted. If such application is denied, approval of the concept plan, and consequent authority to submit a site plan, shall terminate at the end of said one (1) year period. Upon termination of authority to develop as herein provided, the city council may initiate a reclassification of the subject property to an appropriate zoning district other than PUD, PMH or PSC.
7. No building permit shall be issued for any building or structure not indicated on the approved site plan.

# City of Hopewell

## Legend

 B-3 Highway Commercial District



**COMMUNICATIONS  
FROM CITIZENS**

# REGULAR BUSINESS

**REPORTS  
OF THE  
CITY  
MANAGER**

**R-1**



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE: CVWMA Report on Refuse Collection and Recycling**

**ISSUE:** Ms. Kim Hynes, Executive Director of the Central Virginia Waste Management Authority (CVWMA), will be presenting key, performance statistics for refuse and recycling programs for the City of Hopewell. She will also be explaining some big changes in what products can now be recycled in our program.

**RECOMMENDATION:** Receive her presentation and ask any questions Council may have on the programs

**TIMING:** On going

**BACKGROUND:** The City is a member of a 13 locality authority. This authority is called Central Virginia Waste Management Authority (CVWMA). The CVWMA was created in December 1990 to assist member localities with satisfying Virginia's solid waste planning and recycling requirements. A Board of Directors consisting of one or more representatives appointed by each of the member jurisdictions governs the operations of the CVWMA. The Authority may contract for and maintain any garbage and refuse collection, transfer and disposal program or system within the cities, counties or town that are members of the CVWMA. This can include waste reduction, waste material recovery, recycling as mandated by law or otherwise, landfill operation, household hazardous waste management and disposal, and similar programs or systems.

**FISCAL IMPACT:** \$2,000,000 annual budget

**ENCLOSED DOCUMENTS:** None

**STAFF:** Edward O. Watson, Director of Public Works

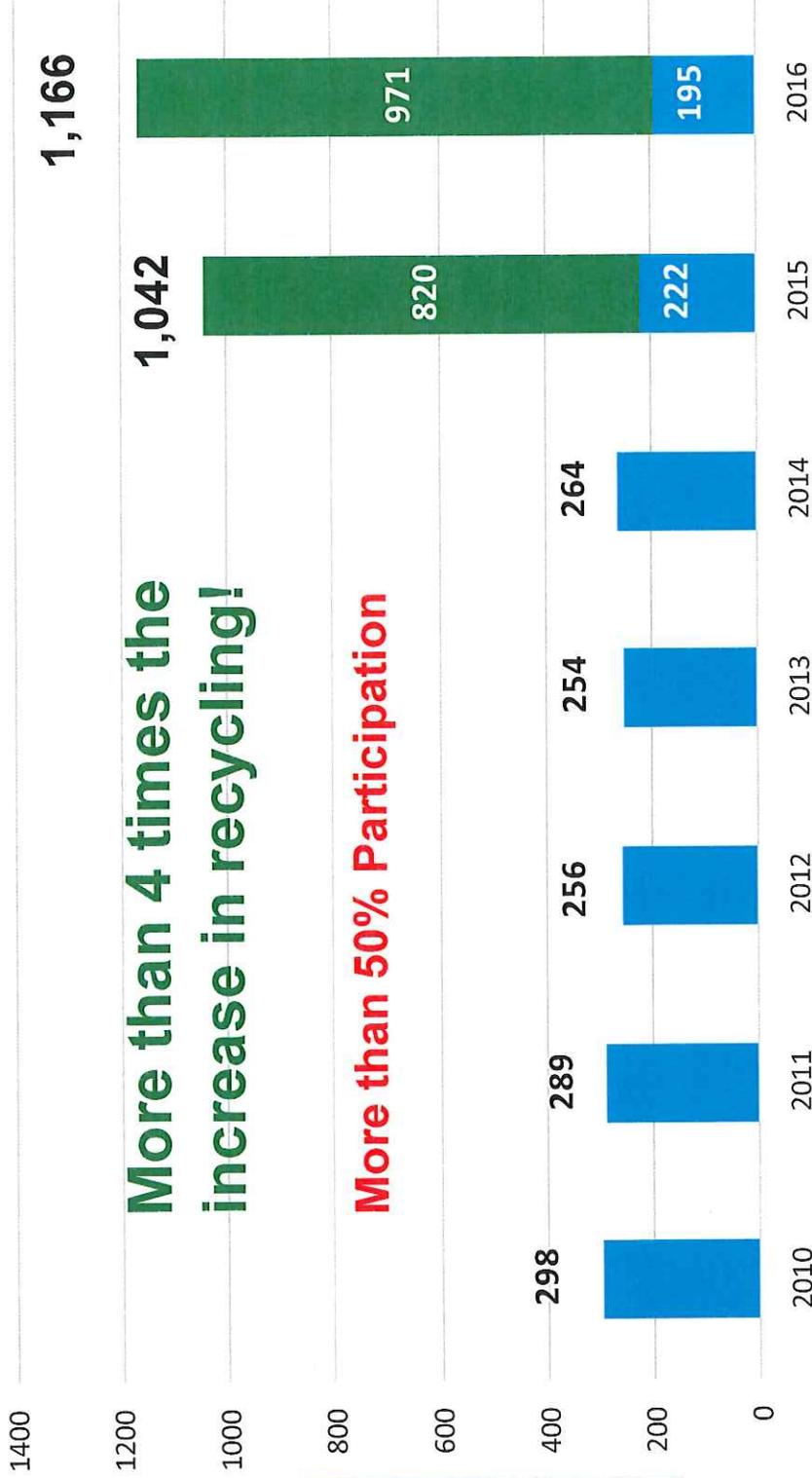
Y	N		Y	N	
<input type="checkbox"/>	<input type="checkbox"/>	Mayor, Brenda S. Pelham, Ward #6	<input type="checkbox"/>	<input type="checkbox"/>	Councilor Anthony Zevgolis, Ward #3
<input type="checkbox"/>	<input type="checkbox"/>	Vice Mayor Christina J. Luman-Bailey, Ward #1	<input type="checkbox"/>	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



**Recycling and Trash Update**  
**July 26, 2016**



# Recycling Program



# Annual Waste Tonnages



Tons Landfilled Annually down by  
**574** from 2 years ago



# Enhancements to Curbside and Drop Off Recycling

Effective JULY 1, 2016



## Plastic



### Kitchen, Laundry, Bath: Bottles and Containers

empty, rinse, and replace cap

## NEW Recyclables!!

### Plastic Containers (#1-#7), Lids and Caps

- Butter Tubs
- Yogurt Cups
- Sour Cream/Cream Cheese
- Clear Fruit containers
- Clamshells

### Cartons

- Milk Cartons
- Juice Cartons
- Soup



## Cartons



### Food and Beverage Cartons

empty, rinse, and replace cap



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**R-2**

**R-2**

**Personal**

**Introductions**

# **R-3**

To Be Set By Council

**REPORTS  
OF THE  
CITY  
ATTORNEY**

**REPORTS  
OF THE  
CITY CLERK**

**Appointments to Boards and Commissions**

**July 26, 2016**

**VACANCY**

**Talent Bank Resumes on File**

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**District 19 – Community Service Board**

**(1) Appointment**

# **REPORTS OF THE CITY COUNCIL**

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

**ADJOURN**