



**Colonial Heights**  
**City Council Regular Meeting**  
**November 10, 2020**

# **Colonial Heights City Council Meeting**

## **November 10, 2020**



- 1. Call to Order**
- 2. Roll Call**
- 3. Devotion – Councilman Mr. W. Joe Green, Jr.**
- 4. Pledge of Allegiance**
- 5. Adoption of Agenda**
- 6. Declarations of Personal Interest**

# Colonial Heights City Council Meeting November 10, 2020



## **7. Commendations And Presentations:**

***A. Presentation By The Crater Planning District Commission Recognizing The City's 50 Years of Partnership.***

# Colonial Heights City Council Meeting November 10, 2020



## **8. Reading of Manner Addressing Council**

**ANY MEMBER OF THE PUBLIC** addressing the Council shall approach the lectern, give his name and address in an audible tone of voice for the record, **AND ADDRESS THE COUNCIL AS A BODY RATHER THAN SPEAK TO ANY MEMBER.** Unless further time is granted by the Council, **ANY MEMBER OF THE PUBLIC** shall address the Council for a maximum of five (5) minutes, regardless of the number of issues he desires to discuss. **PROVIDED** however, that the main proponent of any application, petition, or plan that is the subject of a public hearing shall be allowed to address the Council initially for a maximum of ten (10) minutes and later in rebuttal for a maximum of three (3) minutes.

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## 9. Written Petitions and Communications

***None***

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## **10. Advertised Public Hearings**

### **A. AN ORDINANCE NO. 20-25**

*(First Reading) To grant a special use permit to the City of Colonial Heights to allow a 110-foot monopole tower plus a 4-foot lightning rod at the top of the tower (for an overall height of 114 feet), at the Public Safety Building located at 100 Highland Avenue, known as parcel identification number 5100020102C; and repealing Ordinance No. 17-13.*





## **Analysis of Request**

- In 2017, a special use was permitted for this monopole tower at a lower total height of 104 feet. This Special Use Permit repeals the Ord No. 17-13.
- The site is zoned Residential Office. A tower is not a permitted use in Residential Office and therefore necessitates a Special Use Permit.
- The tower is part of the new public safety radio system approved by council with a general obligation bond issued to fund the system.



# Analysis of Request, continued.

The reason for the additional 10-feet is as follows:

- (1)Ice Bridge.** After the original Special Use Permit was approved, the fire department and contracted engineer noted that the original proposal did not include element protection, known as an “ice bridge.” An ice bridge is a metal grate hood that shields the equipment at the top of the poll from ice and hail. Since the monopole tower supports the new public safety radio, all protection precautions should be in place to ensure the life safety of City residents.
- (2)Anticipated Tree Growth.** To the west of the monopole there are a number of tall trees with a height that appear to be close to the height of the monopole tower. Motorola is the service provider of the public safety equipment and the contract comes with a 20-year guarantee of the performance of the equipment. The additional ten feet will ensure wiggle room if the equipment needs to be relocated upwards at a later date to accommodate tree growth.

# Recommendations

- Planning Commission recommended (6-0) approval.

To recommend that the City Council approve Ordinance No. 20-25, to allow for a 110-foot monopole tower plus a 4- foot lightning rod at the top of the tower, for an overall height of 114 feet at 100 Highland Avenue.

- Planning Staff Report recommended approval.

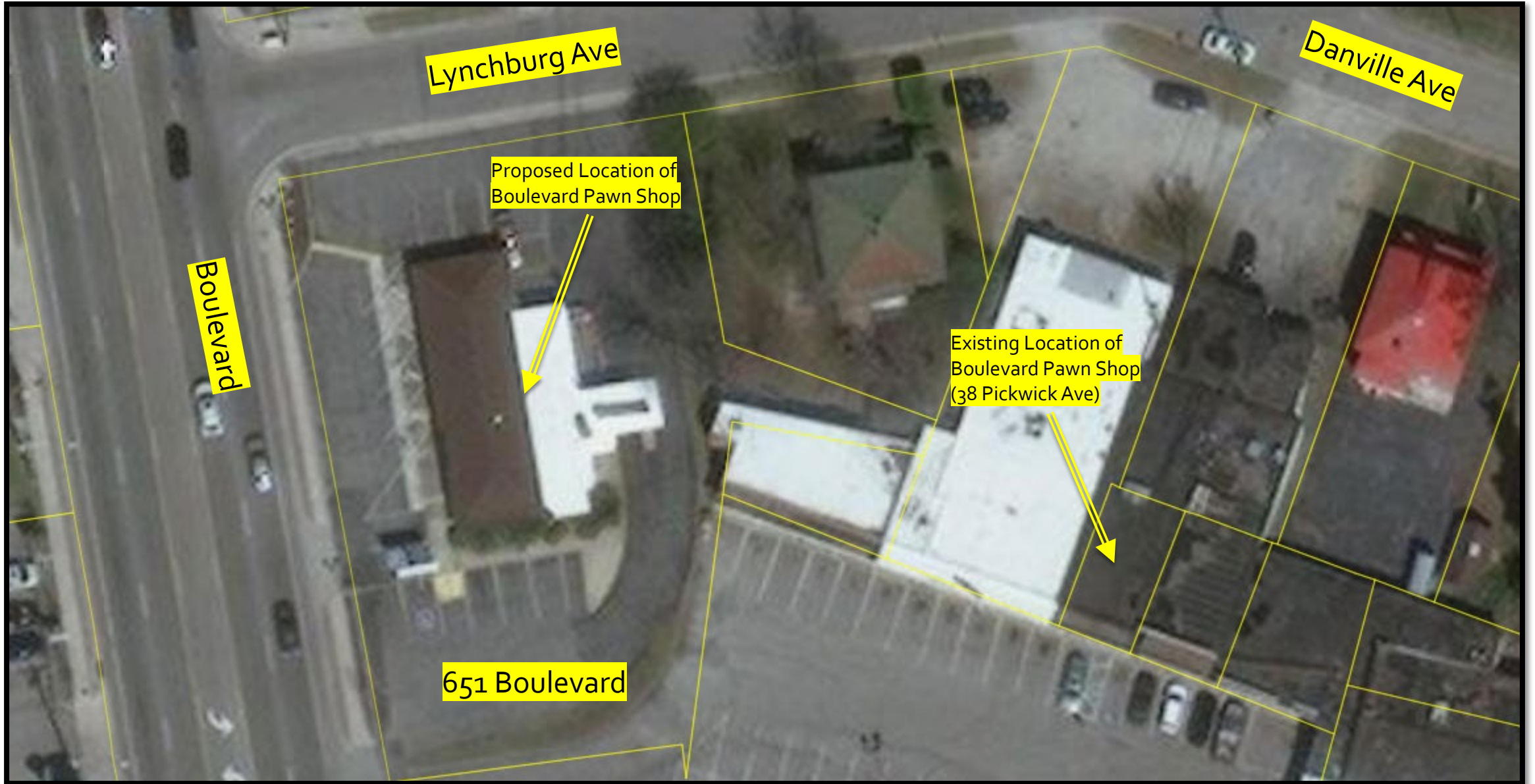
# Colonial Heights City Council Meeting November 10, 2020



## **10. Advertised Public Hearings**

### ***B. AN ORDINANCE NO. 20-26***

*(First Reading) To grant a special use permit to Enright Properties, LLC to permit a pawn shop at 651 Boulevard, also known as parcel identification number 4000020A01A, which is zoned BB-Boulevard Business District.*



# Analysis of Request

- 651 Boulevard was formally Cash2U Loans, a revolving and title loan business, and closed in July of 2020. Enright Properties, LLC purchased 651 Boulevard in August 2020.
- Boulevard Pawn Shop, owned by Enright Properties, LLC has been in business at 38 Pickwick Ave since 1999. The property is rented from property owner Swearingen Realty.
- Enright Properties, LLC wants to relocate the business to 651 Boulevard.
- Boulevard Pawn Shop is currently located at 38 Pickwick Avenue, approximately 50 yards east of the proposed location at 651 Boulevard.

## **Analysis of Request, continued.**

- A pawn shop is defined as “an establishment engaged in the loaning of money on the security of property pledged to a pawnbroker and the incidental sale of such property.”
- 651 Boulevard is zoned BB – Boulevard Business District.
  - Pawn shops are not permitted in Boulevard Business District.
  - Pawn shops are expressly allowed in the zoning district GB - General Business District.
- Boulevard Pawn Shop is currently a “non-conforming use”.
  - Boulevard Pawn Shop was established before the 2012 Zoning Code re-write. The previous zoning code did not define pawn shops and did not expressly permit nor prohibit the use.

## **Analysis of Request, continued.**

Nonconforming uses are permitted to continue provided:

- Use is not discontinued for more than two years;
- Use is not converted or replaced, in whole or in part, by a permitted use;
- Buildings containing nonconforming uses are structurally maintained

Nonconforming uses shall not be enlarged, extended, reconstructed, structurally altered, or intensified.



## **Analysis of Request, continued.**

- The current location of Boulevard Pawn Shop, at 38 Pickwick Avenue, is a total of 2,625 square feet including the attached garage. The proposed location of 651 Boulevard is 2,374 square feet, reducing the size of the business by 251 square feet.
- In the past year, the police department received seven calls of service to the establishment. All seven calls in the past calendar year can be labeled as benign, as no calls were associated with violent crime, and this number of service calls is commonplace for a business.

# Recommendations

- Planning Commission recommended (6-0) approval.

To recommend that the City Council approve Ordinance No. 20-26, to grant a special use permit to Enright Properties, LLC to permit a pawn shop at 651 Boulevard, known as parcel identification number 4000020A01A, which is zoned BB – Boulevard Business District.

- Planning Staff Report recommended denial due to the fact the Boulevard Pawn Shop is a nonconforming use and relocating the business is extending the use.

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## 10. Advertised Public Hearings

### **C. AN ORDINANCE NO. 20-27**

*(First Reading) To grant a special use permit to POTS, LLC allowing for an accessory off-street parking area at parcel identification number 2300020E015, which lacks a principal use, for the benefit of the business at 1400 Boulevard.*

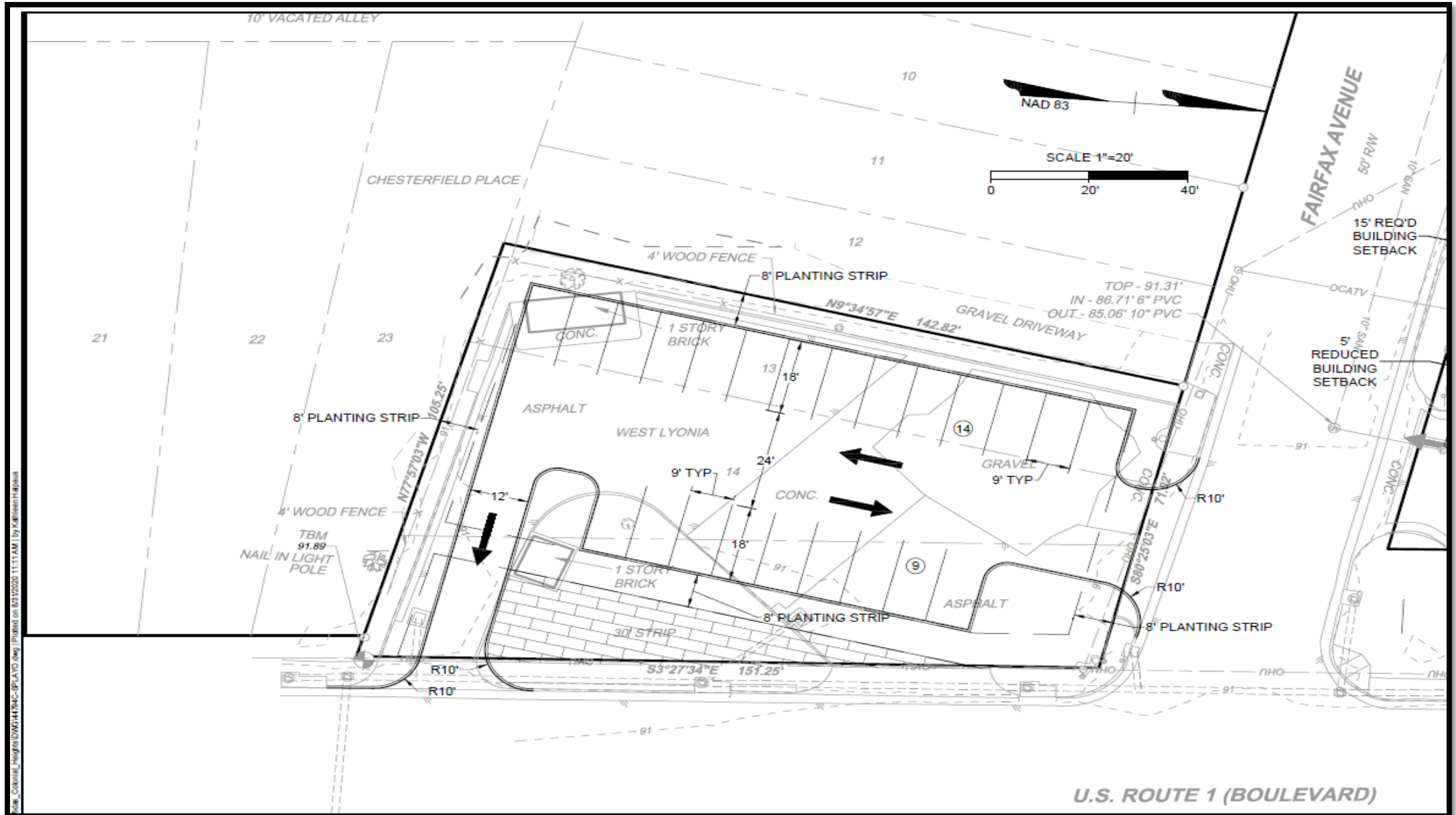


Midas Auto

Fairfax Ave

Boulevard

# Proposed Site Plan





# Analysis of Request

- Midas is an automobile repair shop that has been at 1400 Boulevard since 2007. Midas proposes use of parcel identification number 2300020E015, located across Fairfax Avenue, for additional off-street parking.
- The property was formally a Texaco gas station.
- The property is zoned BB – Boulevard Business District.
- The parcel is 12,323 square feet. Boulevard Business District site development regulations require a minimum area of 15,000 square feet. Therefore, any development on the site would require a variance or a special use permit

## **Analysis of Request, continued.**

- Parking for a specific use is an accessory use.
- Parking as the principal use of a property for a specific use is not permitted in the BB – Boulevard District nor any other zoning district.
- This proposed parking area differs from the miscellaneous use type “parking facility, surface/structure”, as a parking facility is a site of use for surface parking or a parking structure unrelated to a specific use.”
- Therefore, parking for a specific use as a principal use of a site necessitates a Special Use Permit.



## **Analysis of Request, continued.**

- According to the applicant, the need for additional parking is for both current business needs, but also to accommodate future business expansion.
- Midas has applied for a variance (10/06) for 1400 Boulevard to build a 1,210 square feet addition that will encroach 10 feet into required 15-foot corner side yard setback.
- Since the application for variance has not been heard (BZA meeting schedule 11/18), therefore not approved or denied, the consideration of this Special Use Permit is based on the current business operation.

## **Analysis of Request, continued.**

- The parking lot at 1400 Boulevard has 21 parking spaces. The additional lot would add 23 parking spaces for a total of 44 parking spaces between both properties.
- Minimum Parking Requirements
  - Current parking is 4 spaces short of the 25 required spaces for minimum parking.
  - From the business perspective, due to high volume of drop-off service, Midas needs more than the minimum to accommodate current business operations.

## **Analysis of Request, continued.**

- The conceptual plan for the proposed accessory off-site parking area includes a triangular hardscaped area along the Boulevard.
- The applicant intends for this area to be used as a community space. Specifically, a place for residents to set up chairs during the Christmas Parade. The required type and placement of street trees for the Boulevard Overlay District will be placed in the landscape strip between the community space and parking area.

## Recommendations

- Planning Commission recommended (6-0) approval for PC Resolution 20-13

To recommend that the City Council the City Council approved Ordinance No. 20-27, to grant a special use permit to POTS, LLC allowing for an accessory off-street parking area at parcel identification number 2300020E015, which lacks a principal use, for the benefit of the business at 1400 Boulevard.

- Planning Staff Report recommended approval, due to the fact minimum parking requirements are not met with current business operations.

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## 10. Advertised Public Hearings

### **D. AN ORDINANCE NO. 20-30**

*(First Reading) To adopt a revised General Pay Plan Class and Salary Range that adds a new Financial Systems Analyst position, along with the corresponding job description.*

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## **10. Advertised Public Hearings**

### ***E. AN ORDINANCE NO. 20-FIN-20***

*(First Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021, by appropriating a donation of \$1,400 for the Office on Youth.*

*To amend the Emergency Response Fund Budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021, by appropriating \$2,153,064 consisting of 1) \$2,048,354 in remaining CARES funds from the Commonwealth; and 2) \$104,710 in Community Development Block Grant CARES funds.*

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## **11. Hearing of Citizens Generally on Non-Agenda Items**



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### **12. Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda**

#### **A. AN ORDINANCE NO 20-24**

*(Second Reading) To grant a special use permit to KHJ Colonial LLC d/b/a Keystone Truck and Tractor Museum to allow for a 99 square foot electronic message board on the existing freestanding sign structure at Keystone Truck and Tractor Museum, 880 West Roslyn Road, also known as parcel identification number 6805000001A, which is zoned IN – Industrial District.*

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### **12. Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda**

#### ***B. AN ORDINANCE NO 20-28***

*(Second Reading) Authorizing the City Manager to enter into a Right of Way or Easement Agreement with Columbia Gas of Virginia, Inc., whereby the City grants Columbia Gas of Virginia, Inc. an easement along the east side of Conduit Road which is 20 feet in width and approximately 278 feet in length for the purpose of installing a gas pipeline.*

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## **12. Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda**

### **C. AN ORDINANCE NO 20-29**

*(Second Reading) Awarding a Bonus to City Employees Not Included in the Hazard Pay Program.*

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## **12. Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda**

### ***D. AN ORDINANCE NO 20-FIN-19***

*(Second Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021, by appropriating \$28,087, consisting of \$3,987 in grant funds from the Virginia Risk Sharing Association for safety supplies and \$24,100 in unassigned fund balance for police vehicles.*

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### **12.Consideration of Uncontested Minutes, Ordinances, Resolutions, and Motions in Accordance with the Consent Agenda**

***E. February 11, 2020 Regular Meeting Minutes***

***F. February 18, 2020 Special Meeting Minutes***

***G. September 15, 2020 Special Meeting Minutes***

***H. October 13, 2020 Regular Meeting Minutes***

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### **13. Introduction And Consideration Of Ordinances And Resolutions:**

#### ***A. AN ORDINANCE NO 20-FIN-21***

*(First Reading) To amend the General Fund Budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021, by appropriating \$65,000 in reserved proceeds from the sale of the old Courthouse property and transferring such sum to the Capital Projects Fund Budget for the Violet Bank Restoration Project – Phase 1.*

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### **13. Introduction And Consideration Of Ordinances And Resolutions:**

#### ***A. AN ORDINANCE NO 20-FIN-21 continued...***

*To amend the Capital Projects Fund Budget for the fiscal year beginning July 1, 2020 and ending June 30, 2021, by appropriating for the Violet Bank Restoration Project – Phase 1 the \$65,000 transferred from the General Fund Budget.*



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### **13. Introduction And Consideration Of Ordinances And Resolutions:**

#### ***B. A RESOLUTION NO 20-55***

*Adopting the City of Colonial Heights Coronavirus Aid, Relief, and Economic Security Act (CARES Act) Community Development Block Grant Funds for 2020-2021.*



# COMMUNITY DEVELOPMENT BLOCK GRANT



CITY OF COLONIAL HEIGHTS, VA  
COVID FUNDS-2<sup>nd</sup> Round

November 10th, 2020



# CDBG FUNDING

- Federally-funded grant administered by Department of Housing and Urban Development (HUD)
- Awarded to entitlement communities on annual basis
- Amount determined by statutory formula

# HUD Planning and Reporting

- Consolidated Plan (5 year Plan)
- AMENDED Annual Action Plan
- Consolidated Action Plan Evaluation Report (CAPER)



# Past Funding

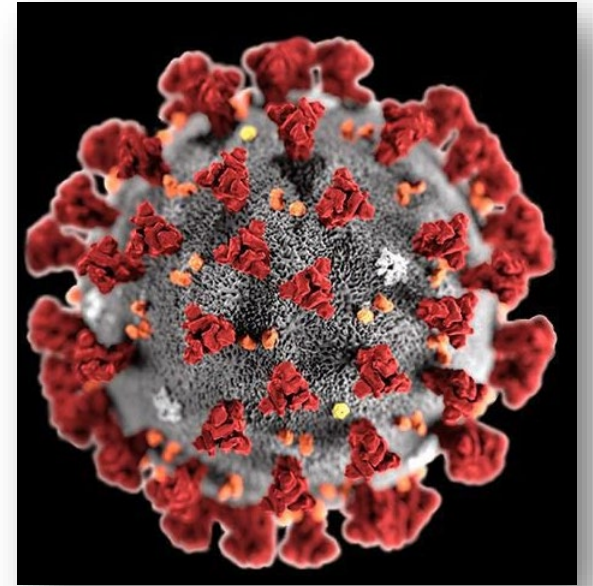
- 2009 - \$111,021\*
- 2010 - \$94,234
- 2011 - \$78,399
- 2012 - \$69,234
- 2013 - \$79,555
- 2014 - \$67,032
- 2015 - \$78,219
- 2016 - \$84,367
- 2017 - \$87,108
- 2018 - \$94,495
- 2019 - \$104,899
- 2020 - \$272,744\*\*

\*2009 the City received CDBG-R stimulus funding

\*\*2020 the City received two rounds of CDBG-CV stimulus funding

## HUD CDBG-CV Requirements

- Funds should be used to prevent, prepare for and respond to coronavirus.
- Funds must be prioritized for low-moderate income individuals.
- 100% of CDBG-CV funds can be used for Public Facilities Improvements.
- The City of Colonial Heights received \$166,947 supplemental CDBG-CV funds.



# CDBG-CV Funds

- CDBG-CV Round 1: \$62,237
  - Awarded to the City in April 2020
  - Colonial Heights Community First Water Utility Grant
  - \$300 per household that showed loss of income due to COVID
  - 25 eligible households received the grant
  - \$54,737 in remaining available funds
  - The second round of applications will start December 1, 2020



**Colonial Heights  
Community First  
Water Utility Grant**

Have you experienced loss of income due to COVID-19?  
Are you *past due* on your water bill?

- Apply today for a grant to bring your water bill current!
- **The application period is from June 17th-July 17th 2020.**
- Applications are available online at [www.colonialheightsva.gov](http://www.colonialheightsva.gov)
- The CDBG Home Repair program for owner-occupied homes starts July 1st 2020.

*English text is mirrored below the graphic.*





# CDBG-CV Funds

- CDBG-CV Round 2: \$104,710
  - Awarded to the City in September 2020
  - Colonial Heights Public Schools HVAC Upgrade
  - The cost to upgrade the entire system is \$245,000
  - The remaining balance will be funded by the Cameron Foundation and other CARES funds.








# CDBG-CV Funds

- CDBG-CV Round 2: \$104,710
  - The project will be completed by TRANE and Colonial Heights Public Schools staff.
  - This HVAC project is to address the airborne impact of COVID-19 in school facilities.

# CDBG-CV Funds

 Lakeview Elementary

- Flood Hazard Zones
-  A and V Zones  
(1% annual chance flood hazard)
  -  Regulatory Floodway
  -  X-Shaded  
(0.2% annual chance flood hazard)
  -  X-Shaded(L)  
(area with reduced risk due to levee)
  -  Zone D
  -  Area of Minimal Flood Hazard

Lakeview Elementary: 401 Taswell Ave



November 2, 2020

1:4,514  
0 0.025 0.05 0.1 mi  
0 0.0425 0.085 0.17 km

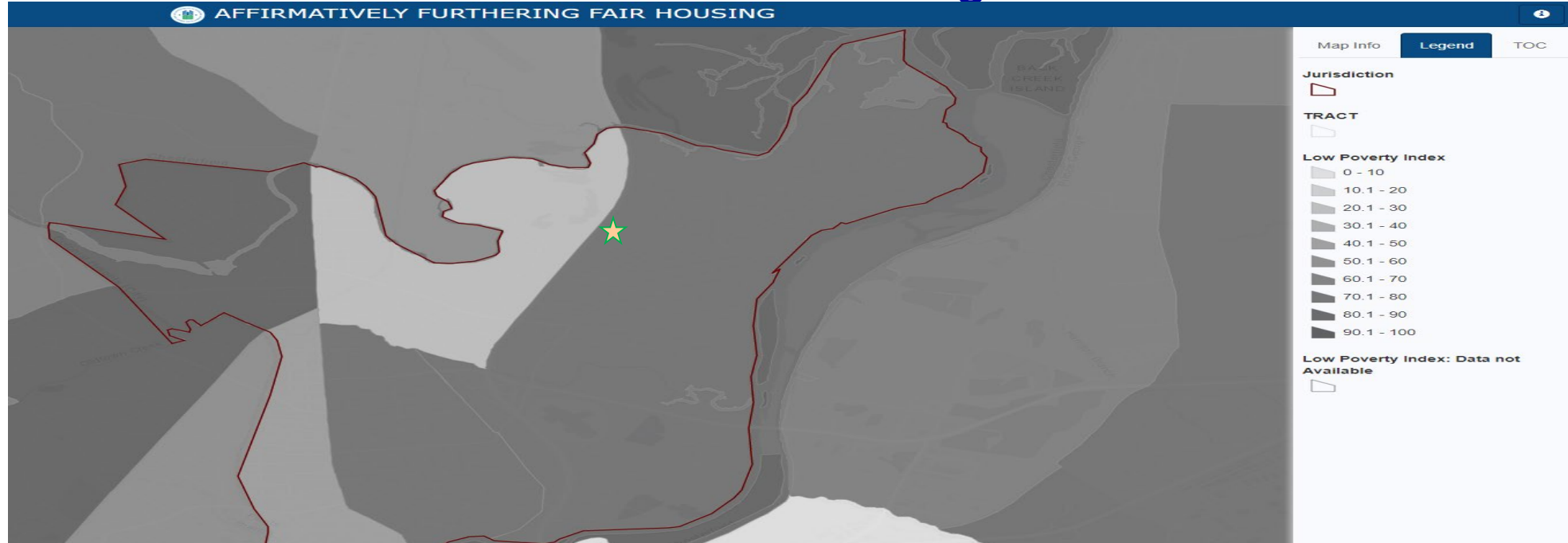
Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Created from the VFRIS Map Viewer ([consapp.pdc.virginia.gov/vfris2.html](https://consapp.pdc.virginia.gov/vfris2.html))

# CDBG-CV Funds

## Low-Moderate Income Neighborhoods



Poverty Group	Children in poverty
Children under 5	19.9%
Children 5 to 17 years	20.4%
Average	20.2%
U. S. Average	20.2%

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## 14. Unfinished Business, Contested Ordinances And Resolutions, And Items Removed From The Consent Agenda:

***None***

# Colonial Heights City Council Meeting November 10, 2020



## **15. Reports of Officers and Documents Related Thereto:**

### ***A. City Manager***

#### ***1. Emergency Management and CARES Funding Update***

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## **15. Reports of Officers and Documents Related Thereto:**

### ***A. City Manager***

#### ***2. General Activity Report***



# Dates of Interest

November	December	January
November 17 <sup>th</sup> (6:00 pm) – City Council Special Meeting – Council Chambers	December 2 <sup>nd</sup> (7:00 pm) – Planning Commission Meeting – Council Chambers	January 4 <sup>th</sup> (7:30 pm) – City Council Organizational Meeting Council Chambers
	December 8 <sup>th</sup> (7:00 pm) – City Council Regular Meeting – Council Chambers	January 5 <sup>th</sup> (7:00 pm) – Planning Commission Meeting (tentative)– Council Chambers
		January 12 <sup>th</sup> (7:00 pm) – City Council Regular Meeting – Council Chambers
		January 15 <sup>th</sup> - (9:00am) City Council Retreat (Ashton Creek Vineyard and Event Center)

# HOLIDAYS



- Thursday, November 26<sup>th</sup> & Friday, November 27<sup>th</sup>, 2020: City Holiday- Thanksgiving Holiday Weekend (Government Offices Closed)



- Thursday, December 24<sup>th</sup> & Friday, December 25<sup>th</sup>, 2020: City Holiday- Christmas Holiday Weekend (Government Offices Closed)



- January 1st, 2021: City Holiday – New Years Day

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## **15. Reports of Officers and Documents Related Thereto** **cont.:**

### ***B. City Attorney***

# Colonial Heights City Council Meeting November 10, 2020



## **15. Reports of Officers and Documents Related Thereto cont.:**

### **C. *Director of Planning and Community Development***

#### ***1. Planning Boards And Commissions Summary***

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## 16. Adjournment



**Colonial Heights**  
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