



City of Petersburg Virginia

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October 3, 2023 - Petersburg City Council Work Session

October 3, 2023
Petersburg Public Library
201 West Washington Street
Petersburg, VA 23803
5:00 PM

City Council

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

City Administration

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

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1. **Roll Call**
 2. **Prayer**
 3. **Pledge of Allegiance**
 4. **Determination of the Presence of a Quorum**
 5. **Public Comments**
 6. **Approval of Consent Agenda (to include minutes of previous meetings):**
 - a. **Minutes: (Page 3)**
 - September 19, 2023 - Closed Session Minutes
 - September 19, 2023 - Regular City Council Meeting
 - b. Request to schedule a public hearing for the consideration of an ordinance authorizing the City Manager to execute a Pilot Operating Agreement with Bird Rides, Inc. to establish a Stand-up Electric Scooter sharing system within the City of Petersburg - 1st Reading **(Page 22)**
 - c. A request to schedule a public hearing and consideration of an ordinance recommending approval of a petition for a special use permit at the property located at 2744 South Crater Road for a hand car wash and detailing use in B-2, General Commercial, District. **(Page 52)**
 7. **Special Reports**
 - a. Presentation for Petersburg Police Chief.
 - b. Presentation on Bird Scooters from Jeremy Lynch, Senior Government Partnerships Manager **(Page 81)**
 - c. Presentation from Crater Planning District Commission.
 8. **Monthly Reports**
 9. **Finance and Budget Report**
 - a. Presentation and Update from Davenport on Bond Rating.
 10. **Capital Projects Update**

- 11. Utilities**
- 12. Streets**
- 13. Facilities**
- 14. Economic Development**
- 15. City Manager's Agenda**
 - a. Update and presentation from JMT.
- 16. Business or reports from the Clerk**
- 17. Business or reports from the City Attorney**
- 18. Adjournment**



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 3, 2023
TO: The Honorable Mayor and Members of City Council
THROUGH: March Altman, Jr., City Manager
FROM: nyk
RE: **Minutes: (Page 3)**
-September 19, 2023 - Closed Session Minutes
-September 19, 2023 - Regular City Council Meeting

PURPOSE: For information and approval from the City Council.

REASON: Minutes from previous city council meetings.

RECOMMENDATION: For approval with the consent agenda.

BACKGROUND: See attached minutes.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 10/3/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. September 19, 2023 Closed Session Meeting Minutes
2. September 19, 2023 regular city council minutes

The Closed Session Meeting of the Petersburg City Council was held on Tuesday, September 19, 2023, at the Petersburg Public Library. Mayor Parham called the Closed Session Meeting to order at 3:01 p.m.

1. ROLL CALL:

Present:

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

Absent: Council Member Charles H. Cuthbert, Jr.
Council Member Marlow Jones

Present from City Administration:

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

2. CLOSED SESSION:

- a. The purpose of this meeting is to convene in the closed session pursuant to §2.2-3711(A)(3) of the Code of Virginia for the purpose of discussion or consideration of the acquisition of real property for a public purpose and the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically including but not limited to the acquisition and disposition of real property and (7) and (8) of the Code of Virginia for the purpose of receiving legal advice and status update from the City Attorney and legal consultation regarding the subject of specific legal matters requiring the provision of legal advice by the city attorney, specifically including but not limited to discussion regarding Chapter 107 of the City Code; 58.1-608.3 of the Code of Virginia; Section 33-6 of the Petersburg Zoning Ordinance; 15.2-2100 of the Code of Virginia; Article VII Section 9 of the Virginia Constitution; and other matters requiring the legal advice of the City Attorney.

Vice Mayor Hill made a motion that the City Council go into closed session for the purposes noted. Council Member Smith-Lee seconded the motion.

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

The City Council entered closed session at 3:02 p.m.

CERTIFICATION:

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

Council Member Westbrook made a motion to return the City Council to open session and certify the

purposes of the closed session. Council Member Myers seconded the motion. There was no discussion on the motion.

The motion was approved on roll call vote.

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

23-R-55 A RESOLUTION CERTIFYING, AS REQUIRED BY THE CODE OF VIRGINIA, SECTION 2.2-3712, THAT TO THE BEST OF EACH MEMBER’S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM OPEN MEETING REQUIREMENTS OF VIRGINIA LAW WERE DISCUSSED IN THE CLOSED SESSION, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION CONVENING THE CLOSED SESSION WERE HEARD, DISCUSSED, OR CONSIDERED.

City Council returned to open session at 4:53 pm

Council Member Cuthbert made a motion to direct the city manager to take all actions necessary to acquire the properties necessary for Project Renew. Vice Mayor Hill seconded the motion. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

3. DISCUSSION/CONSIDERATION:

- a. Discussion and/or consideration of a request to appeal the Planning Commission recommendation of approval of 2023-REZ-05 (2255 Jamestown Road.)

BACKGROUND: See attached information.

RECOMMENDATION: To discuss and consider the appeal for 2255 Jamestown Road.

Naomi Siodmok, Director of Planning & Community Development, gave a brief overview of the request.

Ray Ferguson, appellant, stated that the schools were not contacted, and Fort Gregg-Adams was not contacted. He stated that the amount of school bus stops is a lot and that there is a lot of traffic on this road. He stated that the citizens were fully disadvantage. He stated that the citizens were not fully aware of what is currently being proposed for the site and area.

Sandy Graham, Attorney of Williams Mullen, stated that information was provided and that a letter was also written and sent out to council to give background on some of the issues.

There was discussion among the city council and staff.

Council Member Myers made a motion to deny request for an appeal. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Smith-Lee, Myers, Westbrook, Hill, and Parham; Abstain: Jones

3. ADJOURNMENT:

The City Council adjourned at 5:11 p.m.

Clerk of City Council

APPROVED:

Mayor

DRAFT

The regular meeting of the Petersburg City Council was held on Tuesday, September 19, 2023, at the Petersburg Public Library. Mayor Parham called the meeting to order at 5:11 p.m.

1. ROLL CALL:

Present:

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

Absent: None

Present from City Council Administration:

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

2. PRAYER:

Mayor Parham stated that Vice Mayor Hill will lead the city council meeting in the opening prayer.

Vice Mayor Hill led the city council meeting in the opening prayer.

3. PLEDGE OF ALLEGIANCE:

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

4. DETERMINATION OF THE PRESENCE OF A QUORUM:

A quorum was determined with the presence of all city council members.

5. PROCLAMATIONS/RECOGNITIONS/PRESENTATION OF CEREMONIAL PROCLAMATIONS:

a. Presentation and update on Virginia Avenue School Project.

Avram Fechter, Managing Director of Equity Plus and developer of Virginia Avenue School, gave an update on the project.

Key points:

- Virginia Avenue School is turning in 49 senior apartments, 46 rental single-family homes within walking distance of the school and 18 homes in the neighborhood that will be homeownership.
- They have been working with the city for the last two years.
- The project has been stalled for the last year and a half for two reasons. Virginia as a state ran out of tax bond allocation authority for all new projects that year. January, they submitted again and were awarded the bond.
- They anticipate that work will begin around Thanksgiving.
- Electrical equipment could take one year to get everything shipped and received.

There was a discussion between the city council and Mr. Fechter.

Mayor Parham requested if they could remove the spray paint of obscenities from off the building.

- b. To present Triad Metals International with the 2023 Industrial Manufacturer of the Year Award.

Mayor Parham stated, "In the Industrial Manufacture Year Award to manufacture or producer, big or small operating in the industry sector, this award recognizes businesses that are using effective strategies to approve competitiveness and profitability. The recipient's operation demonstrates a leadership position within the industry sector while maximizing profitability and customer values. The success of Triad Metals International reflects the dedication and enthusiasm of you and your staff. Your business is a staple here in the Petersburg Community that continues to contribute to the economic vitality of the City of Petersburg."

Mr. Moore stated that the city is working with them from Pittsburgh and with the Chamber of Commerce. He stated that he will work on getting that award to them.

6. RESPONSES TO PREVIOUS PUBLIC INFORMATION PERIOD:

Mayor Parham stated that responses to previous public information period is under the council communications.

7. APPROVAL OF CONSENT AGENDA (to include minutes of previous meeting/s)

- a. Minutes:
 - September 5, 2023 - Closed Session Meeting
 - September 5, 2023 – Work Session Meeting
- b. Consideration of a resolution to apply for \$975,000 of Industrial Revitalization Funds for the Hotel Petersburg Project for the rehabilitation of 20 Tabb Street.

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

8. OFFICIAL PUBLIC HEARINGS:

- a. A public hearing and consideration of an ordinance approving a petition to rezone the property located at 2225 Jamestown Road, from A, Agricultural Zoning District to M-1, Light Industrial Zoning District, and 2262 County Drive, from B-2, General Commercial Zoning District to M-1, Light Industrial Zoning District.

BACKGROUND: The City of Petersburg received a Petition to rezone the property located at 2255 Jamestown Road, PIN: 040030005 from A, Agricultural Zoning District to M-1, Light Industrial Zoning District, and 2262 County Drive, PIN: 040030006 from B-2, General Commercial Zoning District to M-1, Light Industrial Zoning District.

The purpose of the rezoning is to permit the construction of buildings for the operation of a light industrial and warehouse uses and the proposed use is permitted in the M-1 district. The current Comprehensive Plan Future Land Use Plan identifies the property as commercial.

The Planning Commission held a Public Hearing and considered a resolution with a recommendation to the City Council regarding the petition during the June 1, 2023, meeting.

During the Public Hearing, the representative from the applicant/Developer spoke.

RECOMMENDATION: It is recommended that the City Council holds a Public Hearing and considers an Ordinance approving a Petition to rezone the property located at 2255 Jamestown Road, from A, Agricultural Zoning District to M-1, Light Industrial Zoning District, and 2262 County Drive, from B-2, General Commercial Zoning District to M-1, Light Industrial Zoning District.

Naomi Siodmok, Director of Planning & Community Development, gave an update on the request.

Mayor Parham opened the floor for public comments.

Joe Battiston, 1 South Sycamore Street, stated that he is speaking in favor of the project. He stated that this will add jobs and additional funds of tax revenue for the City of Petersburg. He stated that he thinks that this should pass unanimously because it would be good for the city.

Ray Ferguson, 2476 Poe Lane, stated that he thinks that this is a win and lose project for the city. He stated that it is a win for the city but a loss for the citizens that live near this property. He stated that there are a couple hundred properties that are near this property. He stated that letters were sent out but the people in the trailer parks do not know what is going on and that this has not been done properly. He stated that there has not been information received from Fort Gregg-Adams or from the schools. He stated for this to be approved they would need all the information and that they do not have it and neither did the Planning Commission. He stated that if this is approved then there are a lot of risks that will be taken.

Keith Boswell, President & CEO of Virginia Gateway Region, stated that he likes Mr. Ferguson comments. He stated that it is a win for the city. He stated that he cannot speak to the residents but that is something that the city is looking at. He stated that there is a dearth of this type of industrial site in the community. He stated that he represents seven regions and that they are looking for industrial properties like this. He stated that there are good road systems and people that make and move things within the city.

Michael Edwards, 409 Grove Avenue, stated that he is an appointed member of the Planning Commission. He stated that he was one of the ones that raised a concern the most. He stated that he initially voted to deny it but now after going through the information again he would like the project to be approved. He stated that he did mention about the amount of school bus stops and transit stops that are within the area.

Richard Burgess, 2490 Poe Lane, stated that he has a number of concerns regarding this area. He stated that they feel that there are more appropriate types of developments for this area. He stated that they did not deny the ACQUA Apartment complex when he was on the Planning Commission during that time. He stated that it is a gated community and has served the city well. He stated that they would like to see something that is more addressed to the City of Petersburg in the public sector itself like a grocery store that can benefit the citizens of Petersburg.

Carl Vanderburg, 2404 County Drive, stated that the last time that he was present at a council meeting he asked about an acceleration lane on the east bound exit out of the property. He stated that he needs to know how far the lane will go. He stated that if it goes too far and takes part of his land then he will not be able to rent his property anymore. He stated that he has eight units. He stated that he would like to know what it looks like. He stated that everyone that lives on Poe Lane has the same question.

Jim Wheeler, 2156-74 County Drive, stated that he agrees with Mr. Jones. He stated that he thinks that some of the solutions can come from a stop light being there. He stated that there are now two places that slow down the traffic in the area now. He stated that in the City of Petersburg, they cannot afford to not have anymore revenue. He stated that there is never going to be a building that is going to have housing there. He

stated that the city would need \$8 million dollars' worth of improvement of sewer and water. He stated that it is not going to happen overnight. He stated that warehousing is a great project for it. He stated that there does need to be a reduction in the speed limit. He stated that he is all for the project.

Mayor Parham closed the public hearing.

There was discussion and comments among staff and the city council.

Council Member Jones made a motion to approve the ordinance approving a petition to rezone the property located at 2255 Jamestown Road, from A, Agricultural Zoning District to M-1, Light Industrial Zoning District, and 2262 County Drive, from B-2, General Commercial Zoning District to M-1, Light Industrial Zoning District. Council Member Myers seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-40 AN ORDINANCE APPROVING A PETITION TO REZONE THE PROPERTY LOCATED AT 2255 JAMESTOWN ROAD FROM A, AGRICULTURAL ZONING DISTRICT TO M-1, LIGHT INDUSTRIAL ZONING DISTRICT TO M-1, LIGHT INDUSTRIAL ZONING DISTRICT WITH THE REFERENCED PROFFER.

- b. Consideration of a public hearing and an ordinance to Amend 21-2 of the City Code – Arts Council Terms of Office – 2nd Reading.

BACKGROUND: Councilman Myers, as patron of the Ordinance creating the Arts Council has requested that proposed revisions as depicted in the attached ordinance be incorporated into Section 21-2 pertaining to terms of office for Arts Council board members.

RECOMMENDATION: Adopt ordinance on second reading after public hearing on September 19, 2023.

Anthony Williams, City Attorney, gave a brief overview of the request.

Mayor Parham opened the public hearing for public comments.

Barbara Rudolph, 1675 Mt. Vernon Street, stated that the city attorney mentioned a couple of times about applications for the Arts Council. She stated that she is not aware of when that information was advertised. She stated that it appeared that the earlier list came from Council Member Myers. She stated that she hopes that they will open this up to the public.

Seeing no further hands, Mayor Parham closed the public hearing.

Council Member Myers made a motion to approve the ordinance to amend 21-2 of the City Code – Arts Council Terms of Office. Council Member Westbrook seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-41 AN ORDINANCE TO AMEND AND RE-ADOPT SECTION 21-2 PERTAINING TO TERMS OF THE ARTS COUNCIL.

Council Member Myers made a motion to reappoint the applicants of the Arts Council, Toni S. Clark, William D. Nicholson, Alexander C. Graham, Kristopher A. Russell, Tiara Russell, Tamara Tazewell, and TyAsia T. Williams. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-R-56 A RESOLUTION APPOINTING TONI S. CLARK, WILLIAM D. NICHOLSON, ALEXANDER C. GRAHAM, KRISTOPHER A. RUSSELL, TIARA RUSSELL WITH A TERM ENDING SEPTEMBER 30, 2024, AND TAMARA TAZEWELL, AND TYASIA T. WILLIAMS WITH A TERM EXPIRING SEPTEMBER 30, 2025, TO THE PETERSBURG AREA ARTS COUNCIL.

Vice Mayor Hill made a motion to direct the City Manager to appoint an administrative liaison to the Petersburg Area Arts Council. Council Member Myers seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

- c. A public hearing and consideration of adoption of an ordinance to authorize the exchange of real property with the Estate of William A. Patton.

Mayor Parham stated that this item has been tabled until October 2023.

- d. Consideration of an appropriation ordinance and a public hearing on September 19, 2023, to increase the Urban Highway Maintenance funding for Street Operations in FY24 in the amount of \$1,066,269.33.

BACKGROUND: In accordance with Section 33.2-319 of the Code of Virginia, the payment rates per lane mile for street payments have been updated every FY. These payments are approved by the Commonwealth Transportation Board (CTB) and are made at the end of each quarter of the FY by Electronic Data Interface (EDI). The City of Petersburg receives this information every year after the FY budget has already been approved and adopted by the City Council. The Department of Public Works & Utilities then presents the amount of increase or decrease to be approved by the City Council which increases or decreases the approved & adopted budget.

RECOMMENDATION: The Department of Public Works recommends that the City Council approves the increase of Urban Highway Maintenance funding in the amount of \$1,066,269.33.

Randall Williams, Department of Public Works, gave an update on the hearing and request.

Mayor Parham opened the public hearing for public comments.

Seeing no hands, Mayor Parham closed the public hearing.

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

23-ORD-42 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2023, AND ENDING JUNE 30, 2024, FOR THE SPECIAL REVENUE STREET OPERATIONS FUND IN THE AMOUNT OF \$1,066,269.33.

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

- a) First, in chronological order of the notice, persons who have notified the Clerk no later than

12:00 noon of the day of the meeting,

- b) Second, in chronological order of their sign up, persons who have signed a sign-up sheet placed by the Clerk in the rear of the meeting room prior to the meeting.

Ken Pritchett, 1113 Overbrook Road, stated that he would like to know the status of the Lafayette Street Bridge and the Oakhill Bridge. He asked whether there was another court date for 1917 Powhatan Street. He stated that it has been two years since anything has been done with that property. He stated that he would also like to hear an update on the double houses that were mentioned at a meeting in the past. He stated it was told that information would come back but he has not heard anything regarding it. He stated that he has a representative from Truist Bank and Metropolitan Business League to help him present a check to the City of Petersburg in the amount of \$5,000 for beautification for the City of Petersburg.

Barbara Rudolph, 1675 Mt. Vernon Street, stated that she would like to go back in time to some previous actions. She stated that on March 19, 2019, the city council adopted a disposition process of city owned real estate property. She stated that in moving forward in time to October 18, 2022, the city council had a public hearing to authorize The Hotel Petersburg developer to use the parking lot adjacent to 135 North Union Street to facilitate redevelopment efforts. She stated that an ordinance was passed for this. She stated that at the July 26th meeting, there were closed session items added and it was not on an agenda that anyone was aware of. She stated that the action was to direct the city manager to negotiate and execute a purchase agreement for 135 North Union Street on terms consistent with the draft purchase agreement for The Hotel Petersburg. She stated that 135 North Union Street is City Hall. She stated that she is concerned about the Code of Virginia and the Constitution of Virginia that require a public hearing for disposition of real estate. She stated that there were some parts that were skipped over regarding the procedure to do this and that the super majority was not accounted for during the vote. She stated that he seems like it was intentionally handled in a way that there was no discussion about it. She stated that she hopes they go back to look at the procedure and also let them know what will become of city hall.

Mr. Williams stated that the code sections that Mrs. Rudolph cited are correct but that there has not been a conveyance of city hall. He stated that it would come back and require an ordinance and six votes. He stated that there has been a purchase agreement prepared for council but there has not been a conveyance of any kind as of yet.

Geneviene Lohr, 19 Guarantee Street, stated that a little while ago the city council passed the 2023-2024 Year Budget. She stated that included in that budget there was no raise or change in salaries for the employees. She stated that she brings this up because the average salary for the city employees is about \$52,000. She stated that between July 2022 and July 2023, inflation resulted in a difference of \$1,656. She stated that it means that the average city employee that is making \$52,000 has approximately \$1,600 less of buying power this year than last year. She stated that at the last meeting it was spoke on about the deficit of 110 employees of the City of Petersburg. She stated that they cannot expect to have all the positions in the city filled if the city is not properly compensating the employees or considering the fact that inflation occurs. She stated that at the last council meeting it was stated that \$6 million dollars was left from last year's budget and that \$3 million was sent to the fund balance and \$3 million was used to purchase lots downtown. She stated that to provide a 5% salary increase it would have cost approximately \$1.8 million. She stated that the city had that but would like to know why this was not considered.

Cory Harris, 2316 Anderson Street, stated that several weeks ago he was at a business meeting, and he lost his contract. He stated that the person that he was supposed to work with said that they do not deal with felons. He stated that the last time that he checked, he was not a felon. He stated that he knows where that source came from and that he will not put that information out publicly. He stated that Petersburg politics has always been messy. He stated that he does have evidence of the accusation of him being a felon, in which he is not. He stated that if his name is slandered one more time, he is going to sue the City of Petersburg. He stated that not only was he going to sue the city but everything that Florence Farley had given him he would

make public.

10. BUSINESS OR REPORTS FROM THE MAYOR OR OTHER MEMBERS OF CITY COUNCIL:

Council Member Cuthbert stated that there was a lead article in the Richmond Times Dispatch on 34% rate increase requested by ACQUA Virginia. He stated that he would see that coming six years ago when he fought for the city to keep from selling their water system.

Council Member Cuthbert showed pictures of 1917 Powhatan Avenue and the condition of the public for the public and council to see.

Council Member Cuthbert asked Mr. Altman if he could bring everyone up-to-date on the status of 1917 Powhatan Avenue.

Mr. Altman stated that the property did go to court. He stated that the court received a letter from the owner requesting a continuance. He stated that the City Attorney requested that the court not approve the continuance since this was their second violation. He stated that the judge agreed and found them guilty, and the owners were fined \$2,100 with a cumulative total of \$3,850. He stated that there are other civil suits pending with the property.

There was discussion among Council Member Cuthbert, Mr. Williams, and Mr. Altman with regards to the penalties and the status of 1917 Powhatan Avenue and the maintenance of the property.

Council Member Cuthbert asked Mr. VanVoorhees to put up a picture of 430 South Sycamore Street. He stated that the back of the house has a lot of problems with the structure. He asked Mr. Altman what the plan is to bring this property back into compliance with the building maintenance code.

Mr. Altman stated that Neighborhood Services took the property owner to court and the judge granted a continuance until October 20th.

Council Member Cuthbert asked Mr. Altman if he could bring the council up-to-date on the status and outcome of the court day at the November work session on 430 South Sycamore Street. He asked Mr. VanVoorhees to show the last photo of 125 North Market Street, the west side. He stated that six months ago the owner appealed against the decision of the Architectural Review Board. He stated that it was challenged on the denial of putting steel plates on the property. He asked Mr. Altman whether there was a plan to make the owner take the plates down.

Mr. Altman stated that the steel plates on the side are for a structural perspective. He stated that there are some bricks that are falling on the upper level of the building. He stated that they are working now to have a permanent safety system along the length of Market Street to protect the public. He stated that they are working with the property owner for an abatement plan as well.

There was discussion among Council Member Cuthbert, Mr. Williams, and Mr. Altman on whether there is a court date in place.

Mrs. Lucas stated that she wanted to remind the council that during business and reports from council each member has five minutes to give comments per their Rules of Council. She stated that moving forward there will be a time so that everyone is aware of how much time they have when giving their comments.

Council Member Jones stated that he would like to send prayers out to the Fitzgerald Family on the Loss of Mr. Fitzgerald, Sr. He stated that he would like to also send out the same to the family of Que Basnight, Allusion Barbershop Family, and the Pin Oaks Family on the loss of Queen Basnight. He stated that

he has an East Washington Street Business Meeting at the library at 12noon and 5pm. He stated that they are going to talk about the beautification of East Washington Street to Fort Gregg-Adams. He stated that over the weekend he witnessed something amazing over the weekend. He stated that there were at least 1,000 at the Sports Complex enjoying every field that the city had. He stated that double the amount is coming back next weekend. He stated that there were some things that needed to be taken care of that he wanted to speak with the city manager about. He wanted to make sure that all things are taken care of for the appearance of the Parks and Recreation and of the city. He stated that everyone enjoyed the asset.

Mr. Altman stated that he met with staff regarding the sports complex with the many people coming to visit the city. He stated that when they discuss the five-year capital improvement plan there will be some items that they will need to address. He stated that they have made significant strides this summer with the tournaments in regard to the improvements and grass cutting. He stated that they will continue working on it each week.

Council Member Jones stated that he understands the rule of not intervening with the city manager and him directing his name. He stated that it is not against the law for staff to have a conversation with any of the council members. He stated to Mr. Byerly, that when his employees are riding through the city, and they see grass they can just cut it. He stated that it is going to take everyone to work on the beautification of the city. He stated that he would like to call up Chief Christian and Mr. Talley. He stated that he has bracelets for people with autism and people that are hearing impaired. He stated that he is giving a bag of the bracelets to the police chief because his officers will be trained to identify and communicate with anyone that has the bracelet on. He stated that there are too many incidents all over the world of people getting shot because they have hearing issues or have autism. He stated that he would like the chief to share it with the fire department and EMS as well. He stated to the citizens that they have a responsibility as well when citizens are getting shot. He stated that there was an incident of a male getting shot and the grandmother was willing to cooperate, but the mother was not. He stated that either way if you look at it, if you do not do something about it you will get shot at again. He stated that people have to talk.

Council Member Westbrook stated that he would like to say Happy Hispanic Month. He stated that he was happy with the back-to-school movement when the students were welcome back to school. He stated that he hopes that the energy continues with the support of PTA meetings. He stated that he always hears that the PTA meetings are not supported. He stated that he wanted to shoutout and thank Governor Youngkin for coming to Pleasants Lane Elementary School and reading to the children. He stated that he would like everyone to support FOLAR in their cleanup of the city and the parks. He stated that he would like to piggy-back off Council Member Jones' comments on the overgrown grass in the easements throughout the city. He asked Mr. Byerly to check on 2051 Anchor Avenue. He stated that the city does own it, but the grass is never cut, and it makes the warehouse look bad. He stated that Mr. Marquis Allen is doing a great job and that the Farmer Street Pool closed successfully. He stated that he hopes that the city and citizens can support the Trunk or Treat that will be on October 28th at the Sports Complex. He stated that there will be a senior trip this Wednesday to the State Fair. He stated that Albert Jones Field will also get a new scoreboard in the next two weeks. He stated that he would like to thank Sheriff Crawford and her efforts with the Blandford Parade for the Blandford Reunion. He stated to everyone to please keep coming out and share your concerns and to just keep rooting for the city to move forward.

Council Member Myers stated that there will be a Ward 5 meeting in October. He stated that he would like to follow up with Council Member Jones and Westbrook comments on the beautification of the city. He stated that there needs to be some leadership in the Director of Public Works directing their employees to do their job. He stated that the city looks horrible, and it has never looked this bad.

Council Member Smith-Lee stated that today is the first day of registration for voting. She stated that she wanted to thank the volunteers for helping to build the playground at Cool Springs Elementary. She stated that there were about 80 people doing the work to try and make sure that the children have something nice at

the school. She stated that she would like to pray for the two students at Virginia State University and their families with the tragedy that happened to both of those students. She stated that it is unbelievable that when you send children to college, and you get a call that they have both been killed. She stated that it is really sad, and that the city has to continue to pray for the community and the students at Virginia State University. She stated that she has to piggy-back of Council Member Westbrook comments of the Albert Jones Field. She stated that there will be lights put up on the field at the beginning of the year. She stated that she is excited for the kids, the community, and Albert Jones Field.

Vice Mayor Hill stated that he would like to remind everyone that he will be having a Ward 2 Meeting on September 21st at Good Shepherd Baptist Church at 6pm. He stated that they will be talking about a lot of great topics. He asked Mr. Altman to look at the containers of clothing and shoes in Butterworth's parking lot. He stated that years ago he had fought to have them removed. He stated that he has a picture of it. He stated that this past weekend there was a walk against crime and that he wants to commend everyone for attending. He stated that he read information in the paper stating that no one from the city council attended the walk. He stated that they have attended so many walks against crime and violence seminars. He stated that they do not get put in the paper for attending but the one time that they do not attend they are put in the paper. He thanked Council Member Jones for the bracelets on autism. He stated that he has an autistic son and that he will be giving him a bracelet as well. He stated that he is glad that others are seeing the things that are not being done and taken care of in the city by public works. He stated that if they go to spray chemicals to not spray anyone's yard. He stated that there was a case when someone's yard got sprayed and the city had to replace the yard and greenery.

Mayor Parham stated that he would like to thank Chief Christian and all the police officers on doing an excellent job on keeping the city safe. He stated that something that they do not get enough comments on is that the city's police officers are getting the bad guys off the street. He stated that he met with the president of VSU and that they are grateful for the work that Chief Christian and his officers are doing. He asked that everyone please begin to use the Petersburg Police Apps that are currently in place. He stated that if people know something please say something and that they can do it through the new app. He stated that there was a great re-entry forum in the city last week hosted by Sheriff Crawford. He stated that he would like to thank the sheriff and her staff for such a great event. He stated that there will be a ribbon cutting tomorrow for Kaboom Playground and he would like everyone to join them. It will be at Cool Springs at 10am. He stated that it is another great asset for the youth in the city. He stated that on September 30th it is the Joy Run Walk. He stated that it is something that they will be participating in. He stated that if you ride down Halifax Street you can see a hearse and a casket out at Tabernacle Baptist Church saying to please bury guns and not people. He stated that also he would like to comment on the information from Vice Mayor Hill on the Walk Against Crime. He stated that the clerk stated that the council did not get an invite to the event. He stated that in the future please send it to the clerk, Mrs. Nykesha Lucas, so that she can put it on everyone's calendar. He stated that Mr. Croker just completed another great year of Jazz in the Stacks at the library. He stated that the Walk Against Hunger will be on October 7th beginning at 10am. He stated that they ask that everyone join them and that it will be a three-mile walk. He stated that also at the library he is participating in something for Community in Schools. He stated that he was raising money for Petersburg schools at the library. He stated that he will be participating with "Dancing with the Stars." He stated that it will be on September 30th at the library. He stated that all proceeds will go to the Community in Schools Program.

11. ITEMS REMOVED FROM CONSENT AGENDA:

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

12. FINANCE AND BUDGET REPORT:

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

13. UNFINISHED BUSINESS:

- a. Consideration of an ordinance approving a petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District.

BACKGROUND: The City of Petersburg received a petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District.

The Planning Commission is scheduled to hold a public hearing and consider a resolution with a recommendation to the City Council regarding the petition on May 4, 2023.

The public hearing was held on July 26, 2023, at the regular city council meeting. Council asked to defer until September 19, 2023, as staff worked with Prince George regarding next steps with collaboration, permitting, and revenue.

Staff asks that this item be deferred until Prince George completes their Comprehensive Plan Amendment to accommodate the project.

RECOMMENDATION: It is recommended that the City Council consider an ordinance approving a petition to rezone the property located at 3287 County Drive from B-2 General Commercial Zoning District to M-1 Light Industrial Zoning District.

Naomi Siodmok, Director of Planning and Community Development gave an update on the request for rezoning for property at 3287 County Drive and stated that she recommends deferment of the request until Prince George has made their decision.

Vice Mayor Hill made a motion to defer action until the October 17, 2023, regular city council meeting. Council Member Jones seconded the motion. The motion was approved on voice vote. On voice vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

14. NEW BUSINESS:

- a. Consideration of appointments to the Central Virginia Waste Management Authority Board.

BACKGROUND: The Central Virginia Waste Management Authority (CVWMA) is a public service authority that implements solid waste management and recycling programs for thirteen local governments. Since its formation in 1990, the CVWMA has endeavored to provide efficient and economical waste management and recycling solutions for its member jurisdictions. The CVWMA's aim is to meet the local governments' waste management and recycling needs, through improving existing services and programs and expanding into new program areas. A board of directors including representatives from each member locality governs the actions of the authorities and daily operations are coordinated by experienced staff.

RECOMMENDATION: Jerry Byerly and Randall Williams' positions align with the requirements of CVWMA. It is recommended that they be appointed to the Central Virginia Waste Management Authority Board with Mr. Byerly as primary and Mr. Williams as alternate.

Mrs. Lucas gave an update on the board and request for appointment.

Vice Mayor Hill made a motion to approve the resolution appointing Jerry Byerly, Director of Public Works, as the primary member and Randall Williams as the alternate for the Central Virginia Waste Management Authority Board. Council Member Smith-Lee seconded the motion. The motion was approved on

voice vote. On voice vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-R-57 A RESOLUTION APPOINTING JERRY BYERLY, DIRECTOR OF PUBLIC WORKS, AS THE PRIMARY MEMBER AND RANDALL WILLIAMS AS THE ALTERNATE FOR THE CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY BOARD FOR A TERM ENDING DECEMBER 31, 2027.

- b. Consideration of appointment/s to the South-Central Wastewater Treatment Authority Board.

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

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

RECOMMENDATION: Recommend that council appoint Jerry Byerly as an alternate to the South-Central Wastewater Treatment Authority Board.

Vice Mayor Hill made a motion to approve the resolution appointing Jerry Byerly as an alternate to the South-Central Wastewater Treatment Authority Board. Council Member Smith-Lee seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-R-58 A RESOLUTION APPOINTING JERRY BYERLY AS THE ALTERNATE WITH TERM ENDING DECEMBER 31, 2024, TO THE SOUTH-CENTRAL WASTEWATER TREATMENT AUTHORITY.

- c. Consideration of an appointment to the Architectural Review Board.

BACKGROUND: The Architectural Review Board consists of 7 members appointed by City Council. The duties of the Board include but are not limited to the following: administer the provisions of the City Code, Article 35, and preservation of the Historical Areas within the City. In addition to those duties, under the CLG Program the review board shall, at a minimum, perform the following duties: conduct or cause to be conducted a continuing survey of cultural resources in the community, according to guidelines established by the State Historic Preservation Office; act in an advisory role to other officials and departments of local government regarding protection of local cultural resources; disseminate information within the locality on historic preservation issues and concerns; and review all proposed National Register nominations for properties with the boundaries of the locality.

RECOMMENDATION: Recommend the Council to make an appointment to the Architectural Review Board.

Council Member Cuthbert made a motion to appoint Joseph F. Yates for a term ending September 30, 2025. Council Member Jones seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-R-59 A RESOLUTION APPOINTING JOSEPH F. YATES TO THE ARCHITECTURAL REVIEW BOARD WITH A TERM ENDING SEPTEMBER 30, 2025.

- d. Consideration of an appropriation ordinance for the Virginia Foundation for Healthy Youth Grant in the amount of \$194,733 – 2nd Reading

BACKGROUND: Al's Pals is a Social Emotional Learning (SEL) curriculum for preschool that provides young children with the skills to prepare for life's challenges through interactive lessons, engaging puppets, original music, and impactful approaches. This curriculum has been a long-standing program at Westview Early Childhood Education Center.

RECOMMENDATION: Recommend City Council approve.

Vice Mayor Hill made a motion to approve the appropriation ordinance in the amount of \$194,733. Council Member Jones seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-43 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2023, AND ENDING JUNE 30, 2024, FOR THE VIRGINIA FOUNDATION FOR HEALTHY YOUTH GRANT FOR PETERSBURG IN THE AMOUNT OF \$194,733.

- e. Consideration of an appropriation ordinance for the Virginia Foundation for Healthy Youth Grant in the amount of \$199,250 – 2nd Reading

BACKGROUND: Childhood obesity significantly impacts a child's physical and psychological health. Obesity can lead to severe health conditions, including non-insulin-dependent diabetes, cardiovascular programs, bronchial asthma, obstructive sleep apnea (OSA), hypertension, hepatic steatosis, gastroesophageal reflux (GER), and psychosocial issues. The preventive and therapeutic interventions in childhood obesity are crucial in decreasing the burden of health conditions.

RECOMMENDATION: Recommend City Council approve.

Vice Mayor Hill made a motion to approve the appropriation ordinance in the amount of \$199,250. Council Member Jones seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-44 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2023, AND ENDING JUNE 30, 2024, FOR THE VIRGINIA FOUNDATION FOR HEALTHY YOUTH GRANT FOR PETERSBURG IN THE AMOUNT OF \$199,250.

- f. Consideration of an appropriation ordinance for Virginia Department of Fire Programs – Aid to Locality, carryover of funds from FY23 to FY24 budget in the amount of \$21,959.58 – 2nd Reading

BACKGROUND: The City of Petersburg, Department for Fire, Rescue and Emergency Services receives the Virginia Department of Fire Programs Aid-to-Localities grant annually to assist with specific training the designated firefighting equipment.

RECOMMENDATION: Recommend for the Council to carryover funding from the Virginia Department of Fire Programs – "Aid-to-Localities" in the amount of \$21,959.58 from the Department of Fire, Rescue and Emergency Services FY23 to FY24 budget.

Council Member Westbrook made a motion to approve the appropriation ordinance in the amount of \$3,949.98. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-45 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR

THE FISCAL YEAR COMMENCING JULY 1, 2023, AND ENDING JUNE 30, 2024, FOR THE GRANTS FUND IN THE AMOUNT OF \$21,959.58.

- g. Consideration of an appropriation ordinance for Virginia Department of Emergency Management – Radiological Emergency Preparedness Grant carryover of funds from FY23 to FY24 Budget in the amount of \$3,949.98

BACKGROUND: The City of Petersburg receives annual funding from the Virginia Department of Emergency Management for enhancement, planning and response to radiological emergencies.

RECOMMENDATION: Recommend that Council approve the carryover of funds from FY23 to FY24 budget for the Virginia Department of Emergency Management – Radiological Emergency Preparedness Grant in the amount of \$3,949.98.

Council Member Myers made a motion to approve the appropriation ordinance in the amount of \$3,949.98. Council Member Smith-Lee seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-46 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2023, AND ENDING JUNE 30, 2024, FOR THE GRANTS FUND IN THE AMOUNT OF \$3,949.98.

- h. Consideration of an appropriation ordinance for Virginia Department of Emergency Management – Emergency Management Performance Grant carryover of funds from FY23 to FY24 Budget in the amount of \$1,717.27.

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

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

Council Member Myers made a motion to approve the appropriation ordinance in the amount of \$1,717.27. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-47 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2023, AND ENDING JUNE 30, 2024, FOR THE GRANTS FUND IN THE AMOUNT OF \$1,717.27.

- i. Consideration of an appropriation ordinance for Virginia Department of Fire Programs – Aid to Locality FY23 funding allocation in the amount of \$134,237 – 2nd Reading.

BACKGROUND: The Department of Fire, Rescue and Emergency Services receives the Fire Programs Fund Programs Fund – Aid to Locality Grant annually to assist with firefighter training and the purchase of other specialized firefighting equipment.

RECOMMENDATION: Recommend that the Council approve and appropriate the Virginia Department of Fire Programs – Aid to Locality FY23 funding in the amount of \$134,237.

Council Member Westbrook made a motion to approve the appropriation ordinance in the amount of

\$134,237. Council Member Myers seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-48 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2023, AND ENDING JUNE 30, 2024, FOR THE GRANTS FUND IN THE AMOUNT OF \$134,237.

- j. Consideration of an appropriation ordinance for Virginia Department of Emergency Management – Emergency Management Performance Grant in the amount of \$850.44– 2nd Reading.

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

RECOMMENDATION: Recommend that Council approve the carryover of the Virginia Department of Emergency Management EMPG in the amount of \$850.44.

Council Member Westbrook made a motion to approve the appropriation ordinance in the amount of \$850.44. Council Member Myers seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-49 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2023, AND ENDING JUNE 30, 2024, FOR THE GRANTS FUND IN THE AMOUNT OF \$850.44.

- k. Consideration of an appropriation to accept and appropriate funding from the Virginia Office of EMS – Rescue Squad Assistance Fund (RSAF) in the amount of \$52,757.10 – 2nd Reading.

BACKGROUND: The City of Petersburg, Department of Fire, Rescue and Emergency Services may apply for financial assistance through the Virginia Office of EMS for grants to support special projects and initiatives as they determine are applicable. The current grant is a 100% funded reimbursement grant for the acquisition of computer hardware for use in patient care reporting as required by regulations in the Code of Virginia, 12VAC5-31-560.

RECOMMENDATION: Recommend that Council accept and appropriate the Virginia Office of Emergency Medical Services – Rescue Squad Assistance Fund (RSAF) grant in the amount of \$52,757.10 for reimbursement to the fiscal year 2023 budget of the Department of Fire, Rescue, and Emergency Services.

Council Member Westbrook made a motion to approve the appropriation ordinance in the amount of \$52,757.10. Vice Mayor Hill seconded the motion. The motion was approved on roll call vote. On roll call vote, voting yes: Cuthbert, Jones, Smith-Lee, Myers, Westbrook, Hill, and Parham

23-ORD-50 AN ORDINANCE, AS AMENDED, SAID ORDINANCE MAKING APPROPRIATIONS FOR THE FISCAL YEAR COMMENCING JULY 1, 2023, AND ENDING JUNE 30, 2024, FOR THE GRANTS FUND IN THE AMOUNT OF \$52,757.10.

15. CITY MANAGER’S AGENDA:

- a. A communication/special report request to present The Petersburg Downtown Plan via interface Studios.

BACKGROUND: The City of Petersburg entered into an agreement with Interface Studios to develop a Downtown Master Plan that includes of an Advisory Committee comprised of area Stakeholders and Business Owners in the Downtown area.

RECOMMENDATION: To allow Interface Studio the opportunity to present the City of Petersburg Downtown Plan.

Mindy Watts, Principal of Interface Studio, gave a brief presentation on forthcoming activities.

Key points:

- Over 100 people came out for the community visioning event in June 2023. More than 320 people logged in to take the Downtown Survey.
- A shared vision for Downtown, today and in 2040 – Downtown is a thriving symbol of Petersburg resurgence, ready to realize its potential once again. Downtown is proud of its history and its present-day-the people, local businesses, and opportunities that together create a hometown feel with the diversity of a city.
- Downtown is a place and community that is committed to balancing history with growth and change.
- Support and diversify downtown’s business community and restore downtown’s economic vitality and building stock.
- There is a visioning event of the Public Open House #2 for Downtown Plan on October 4, 2023, at the Petersburg Public Library from 5pm to 8pm.

There was discussion and comments among staff, Ms. Watts, and the city council members.

Mayor Parham congratulated Ms. Siodmok on being featured in the Virginia, Town, and County Magazine.

16. BUSINESS OR REPORTS FROM THE CLERK:

Mrs. Lucas stated that she wanted to thank the Virginia Department of Education for nominating her and giving her the opportunity to be a Career Success Star.

17. BUSINESS OR REPORTS FROM CITY ATTORNEY:

Mr. Williams stated that he has no report.

18. ADJOURNMENT:

The City Council adjourned at 7:48 p.m.

Clerk of City Council

APPROVED:

Mayor



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 3, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Naomi Siodmok

RE: **Request to schedule a public hearing for the consideration of an ordinance authorizing the City Manager to execute a Pilot Operating Agreement with Bird Rides, Inc. to establish a Stand-up Electric Scooter sharing system within the City of Petersburg - 1st Reading (Page 22)**

PURPOSE: A presentation to share information and answer questions about Bird scooters in Petersburg prior to considering an ordinance authorizing the City Manager to execute a Pilot Operating Agreement with Bird Rides, Inc.

REASON: To comply with policies, procedures and laws regarding the adoption of ordinances.

RECOMMENDATION: It is recommended that the City Council holds a Public Hearing and consideration of an ordinance authorizing the City Manager to execute a Pilot Operating Agreement with Bird Rides, Inc. to establish a Stand-up Electric Scooter sharing system within the City of Petersburg.

BACKGROUND: The City of Petersburg received a proposal from Bird Rides, Inc. to operate a Stand-up Electric Scooter sharing system within the City of Petersburg. Bird Rides, Inc. was founded in 2017 and operates in 25 countries and 400 cities. The system works through an online application whereby users sign a user agreement to verify their age is 18 or older, add payments, and complete educational tutorials prior to each ride. The system is dockless and riders have freedom to choose drop off and pick-up locations. Operators locate and retrieve scooters throughout the day. The cost is \$1.00 per minute, with an average cost of \$6.00. Discounts are offered to veterans, senior citizens, healthcare workers, and students with Pell grants.

The purpose is to provide a low-cost transportation alternative, with focus on the first and last mile between a departure location and a destination. Operating zones can be established to limit use within specific target areas. The agreement between the City and Bird includes liability, insurance and indemnification clauses. Each rider must sign an agreement that includes liability and indemnification clauses as well.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY:

CITY COUNCIL HEARING DATE: 10/17/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

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

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 0606_2023OrdinanceREBird
2. 0606_2023Bird_Operating_Agreement_Petersburg_VA
3. Bird 2023_Petersburg, VA

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A PILOT OPERATING AGREEMENT WITH BIRD RIDES, INC. TO ESTABLISH A STAND-UP ELECTRIC SCOOTER SHARING SYSTEM WITHIN THE CITY OF PETERSBURG.

WHEREAS, the City of Petersburg received a proposal from Bird Rides, Inc. to operate a Stand-up Electric Scooter sharing system within the City of Petersburg; and

WHEREAS, Bird Rides, Inc. was founded in 2017 and operates in 25 Countries and 400 Cities; and

WHEREAS, the system works through an online application whereby users sign a user agreement verify their age is 18 or older, add payments, complete educational tutorials prior to each ride; and

WHEREAS, the system is dockless and riders have freedom to choose drop off and pick-up locations and Operators locate and retrieve scooters throughout the day; and

WHEREAS, the cost is \$1.00 per minute, with an average cost of \$6.00; and

WHEREAS, Discounts are offered to veterans, senior citizens, healthcare workers, and students with Pell grants; and

WHEREAS, the purpose is to provide a low-cost transportation alternative, with focus on the first and last mile between a departure location and a destination; and

WHEREAS, Operating zones can be established to limit use within specific target areas; and

WHEREAS, the agreement between the City and Bird includes, liability, insurance and indemnification clauses; and

WHEREAS, each rider must sign an agreement that includes liability and indemnification clauses as well; and

WHEREAS, pursuant to the requirements of Title 15.2-2204 of the Code of Virginia, as amended, this is a public hearing and consideration of an ordinance authorizing the City Manager to execute a Pilot Operating Agreement between the City of Petersburg and Bird Rides, Inc. to establish a stand-up electric scooter sharing system within the City of Petersburg, and the public hearing was advertised, in accordance with applicable laws.

NOW THEREFORE BE IT ORDAINED, that the City Council of the City of Petersburg hereby authorizes the City Manager to execute a Pilot Operating Agreement between the City of Petersburg and Bird Rides, Inc. to establish a stand-up electric scooter sharing system within the City of Petersburg.

PILOT OPERATING AGREEMENT

This Pilot Operating Agreement (the “Agreement”) is entered into by and between Bird Rides, Inc., located at 8605 Santa Monica Blvd. #20388 West Hollywood, CA 90069 (“Company”), and The City of Petersburg located at 135 N Union Street, Petersburg, VA 23803 (the “City”) as of _____, 2023.

1. Statement and Purpose

The purpose of this Agreement is to establish interim rules and regulations governing the pilot operation of a Stand-up Electric Scooter sharing system within the City while this Agreement is in effect (the “Pilot”), and to ensure that the Pilot is consistent with the safety and well-being of bicyclists, pedestrians, and other users of the public rights-of-way.

2. Scope

This Agreement and its terms apply to any proposed deployment of Stand-up Electric Scooter sharing systems within City’s jurisdictional boundaries. This Agreement and the Pilot shall remain in effect for a period of twelve months and shall automatically renew for successive twelve month periods unless either party provides written notice to the other of its intention not to renew at least ninety (90) days prior to the end of the then-current term.

3. Procedures

~~While this Agreement is in effect, Company shall be the sole provider of Stand-up Electric Scooter sharing systems within City’s jurisdictional boundaries for the Pilot, contingent upon compliance with the terms of this Agreement.~~ Upon effectiveness of this Agreement, Company shall provide an affidavit of compliance with the terms of this Agreement and provide appropriate indemnification.

4. Operating Regulations

- a. Company, and/or its service providers, agents or assigns, shall be responsible for operating a Stand-up Electric Scooter program in the City with the below requirements.
- b. “Stand-up Electric Scooter” shall mean a device weighing less than 150 pounds, that (i) has handlebars and an electric motor, (ii) is solely powered by the electric motor and/or human power, and (iii) has a maximum speed of no more than 20 mph on a paved level surface when powered solely by the electric motor.
- c. Except as otherwise provided herein, City shall regulate the operation of Stand-up Electric Scooters in a manner no more restrictive than City’s regulation of bicycles.
- d. Stand-up Electric Scooters are to be ridden on streets, and where available, in bike lanes and bike paths. Stand-up Electric Scooters are to stay to the right of street lanes and to offer the right of

way to bicycles in bike lanes and on bike paths. Users of Stand-up Electric Scooters shall be 18 or older. Users of Stand-up Electric Scooters who violate these provisions may be fined by City consistent with fines for cyclists.

- e. Company shall provide easily visible contact information, including toll-free phone number and/or e-mail address on each Stand-up Electric Scooter for members of the public to make relocation requests or to report other issues with devices.
- f. Hours of operation when Company's Stand-up Electric Scooters will be made available to rent from 5 a.m. to midnight (local time).

5. Parking

- a. Users of Stand-up Electric Scooters shall park devices upright in the furniture zone of the sidewalk, beside a bicycle rack or in another area specifically designated for bicycle parking, or on the street next to an unmarked curb.
- b. Users shall not park Stand-up Electric Scooters in such a manner as to block the pedestrian clear zone area of the sidewalk; any fire hydrant, call box, or other emergency facility; bus bench; or utility pole or box.
- c. Users shall not park Stand-up Electric Scooters in such a manner as to impede or interfere with the reasonable use of any commercial window display or access to or from any building.
- d. Users shall not park Stand-up Electric Scooters in such a manner as to impede or interfere with the reasonable use of any bicycle rack or news rack.
- e. Users may park Stand-up Electric Scooters on blocks without sidewalks only if the travel lane(s) and 6-foot pedestrian clear zone are not impeded.
- f. Users shall not park Stand-up Electric Scooters in the landscape/furniture zone directly adjacent to or within the following areas, such that access is impeded:
 - i. Transit zones, including bus stops, shelters, passenger waiting areas and bus layover and staging zones, except at existing bicycle racks;
 - ii. Loading zones;
 - iii. Disabled parking zone;
 - iv. Street furniture that requires pedestrian access (e.g., benches, parking pay stations, bus shelters, transit information signs, etc.);
 - v. Curb ramps;
 - vi. Entryways; and
 - vii. Driveways.
- g. Users of Stand-up Electric Scooters who violate these provisions may be fined by City consistent with fines for cyclists.
- h. Company may stage its Stand-up Electric Scooters in permitted parking areas as described in this section. To the extent Company desires to stage Stand-up Electric Scooters in areas other than the public right-of-way, Company must first obtain the right to do so from the appropriate City department, property owner, or public agency.

6. Operations

- a. Company shall maintain 24-hour customer service for customers to report safety concerns, complaints, or to ask questions. Company shall maintain a multilingual website, call center, and/or mobile app customer interface that is available twenty-four hours a day, seven days a week. The aforementioned shall be compliant with the Americans with Disabilities Act.
- b. In the event a safety or maintenance issue is reported for a specific device, that Stand-up Electric Scooter shall be made unavailable to users and shall be removed within the timeframes provided herein. Any inoperable or unsafe device shall be repaired before it is put back into service.
- c. Company shall respond to reports of incorrectly parked Stand-up Electric Scooters, Stand-up Electric Scooters continuously parked in one location for more than 36 hours, or unsafe/inoperable Stand-up Electric Scooters, by relocating, re-parking, or removing the Stand-up Electric Scooters, as appropriate, within 24 hours of receiving notice that must include the location of the Stand-up Electric Scooter.
- d. Company shall provide notice to all users that:
 - i. Stand-up Electric Scooters are to be ridden on streets, and where available, in bike lanes and bike paths;
 - ii. Stand-up Electric Scooters are to stay to the right of street lanes and to offer the right of way to bicycles on bike lanes and bike paths;
 - iii. Helmets are encouraged for all users;
 - iv. Parking must be done in the designated areas; and
 - v. Riding responsibly is encouraged.
- e. Stand-up Electric Scooter riders are required to take a photo whenever they park their scooter at the end of a ride.
- f. Company shall provide education to Stand-up Electric Scooter riders on the City's existing rules and regulations, safe and courteous riding, and proper parking.

7. Data Sharing

City may require Company to provide anonymized fleet and ride activity data for all trips starting or ending within the jurisdiction of City on any vehicle of Company or of any person or company controlled by, controlling, or under common control with Company, provided that, to ensure individual privacy:

- a. such data is provided via an application programming interface, subject to Company's license agreement for such interface, in compliance with a national data format specification such as the Mobility Data Specification;
- b. any such data provided shall be treated as trade secret and proprietary business information, shall not be shared to third parties without Company's consent, and shall not be treated as owned by the local authority; and

- c. such data shall be considered personally identifiable information, and shall under no circumstances be disclosed pursuant to public records requests received by the local authority without prior aggregation or obfuscation to protect individual privacy.

8. Indemnification

Company agrees to indemnify, defend and hold harmless City (and City's employees, agents and affiliates) from and against all actions, damages or claims brought against City arising out of Company's negligence or willful misconduct, except that Company's indemnification obligation shall not extend to claims of City's (or City's employees', agents' or affiliates') negligence or willful misconduct. City expressly acknowledges that in no event shall Company be liable for any special, indirect, consequential or punitive damages. Company's indemnification obligations shall survive for a period of one (1) year after expiration of this Agreement. Company shall be released from its indemnification obligations under this section if the loss or damage was caused by the City's negligent construction or maintenance of public infrastructure. City's right to indemnification shall be contingent on City notifying Company promptly following receipt or notice of any claim; Company shall have sole control of any defense; City shall not consent to the entry of a judgment or enter into any settlement without the prior written consent of Company.

9. Insurance

Company shall provide City with proof of insurance coverage exclusively for the operation of Stand-up Electric Scooters including: (a) Commercial General Liability insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$2,000,000.00 aggregate; (b) Automobile Insurance coverage with a limit of no less than \$1,000,000.00 each occurrence and \$1,000,000.00 aggregate; (c) Umbrella or Excess Liability coverage with a limit of no less than \$5,000,000.00 each occurrence/aggregate; and (d) where Company employs persons within the City, Workers' Compensation coverage of no less than the statutory requirement.

10. Miscellaneous

- a. All notices and communications to the City from Company shall be made in writing (includes electronic communications) and sent to the address below.
- b. In carrying out their responsibilities, the parties shall remain independent contractors, and nothing herein shall be interpreted or intended to create a partnership, joint venture, employment, agency, franchise or other form of agreement or relationship.
- c. This agreement shall be governed by and construed in accordance with the laws of the Commonwealth of Virginia.

City, State

Bird Rides, Inc.

Signed By:

Signature: _____

Print Name: _____

Title: _____

Signature: _____

Print Name: _____

Title: _____

Address:

Enforcement
Standard language



Hello, Petersburg, VA

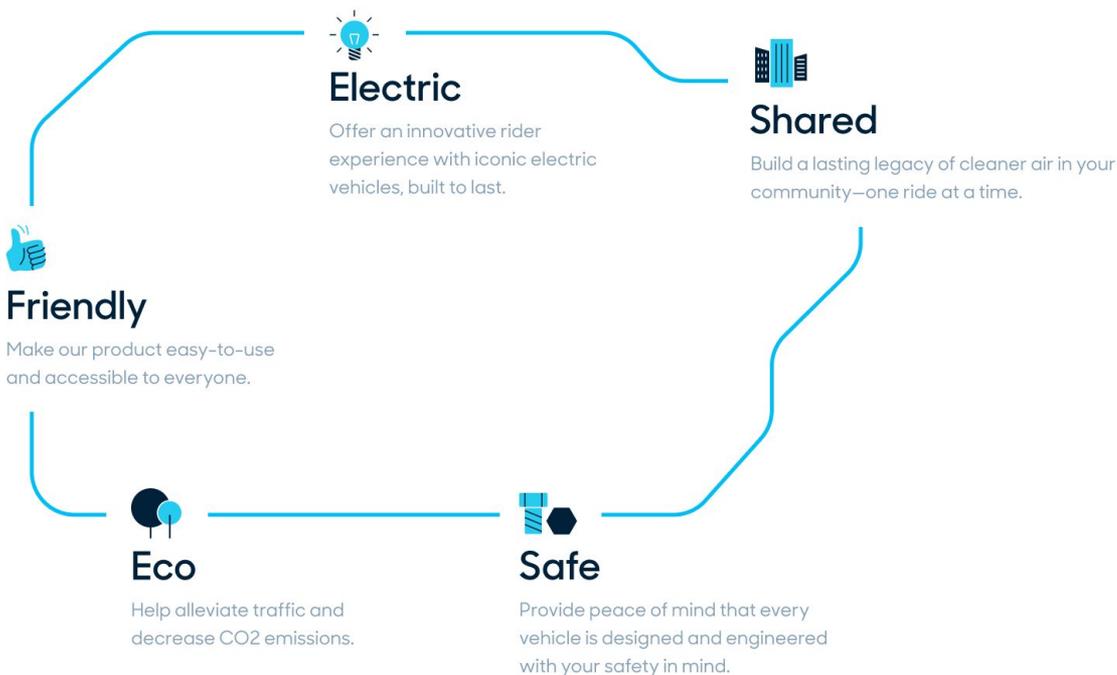


October 2023



What is Bird?

A micromobility company with a focus in shared electric vehicles.



Who is Bird?

Bird is a dockless electric micro-mobility vehicle sharing company that operates in over **350 cities** and **70 universities**.

Our mission is make cities and campuses more livable and bring communities together by providing affordable, environmentally-friendly transportation.

Today...

5 Continents.
25 Countries.
350+ Cities.
70+ Universities
100M+ Rides.
 Listed on **NYSE BRDS**



Solve last-mile problem and connect more residents to transit options



Reduce congestion and over-reliance on cars



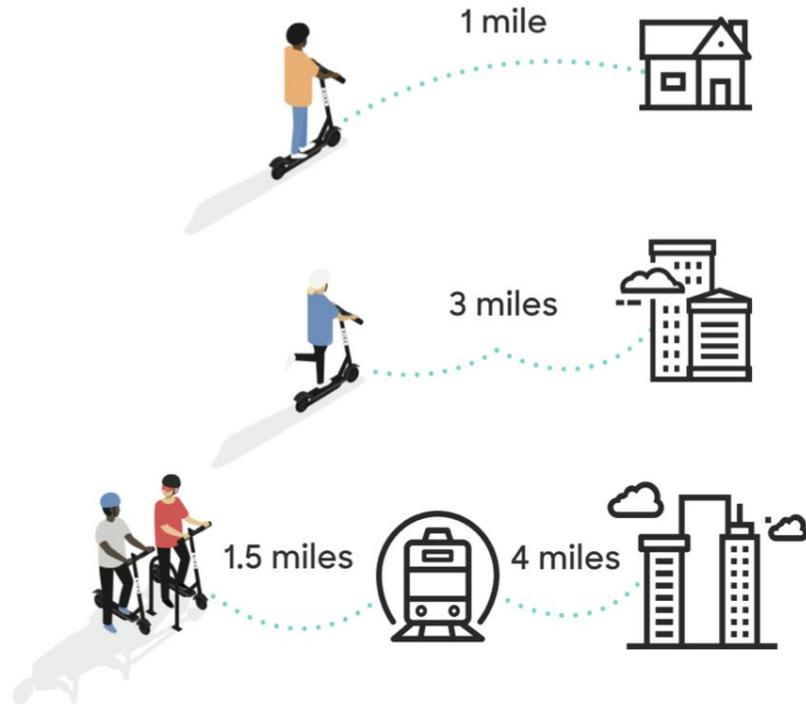
Improve air quality and reduce GHG emissions



Improve the overall quality of life

First Mile Last Mile

Great solution for quick trips



Get to School or Work

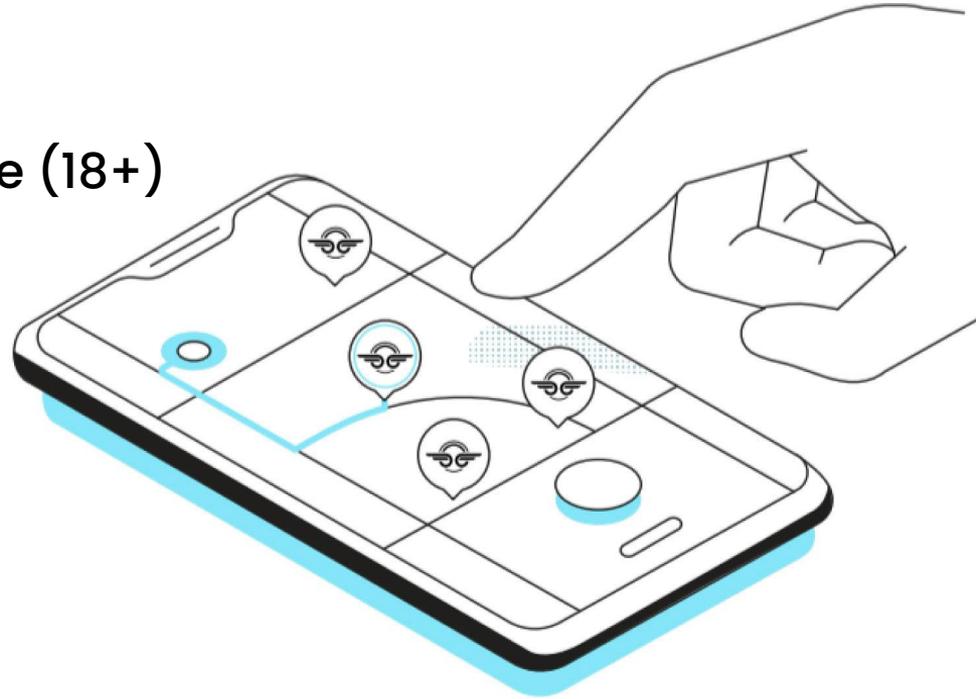
Don't hassle to re-park

Connect to transit or go one way



How it works

1. Download the Bird app
2. Sign user agreement & verify age (18+)
3. Add payment
4. Complete educational tutorials
5. Enjoy the ride!



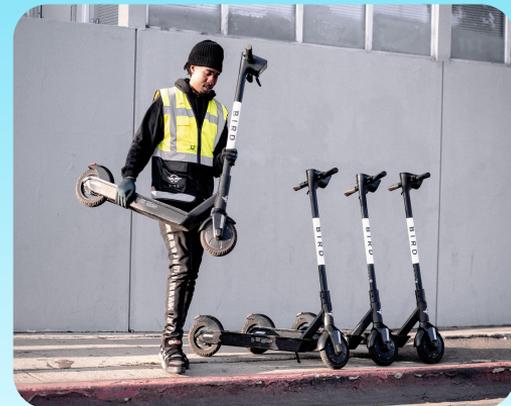
The Dockless Model

Follow the rules of the road like a bike

Freedom to choose where to pick up and drop off

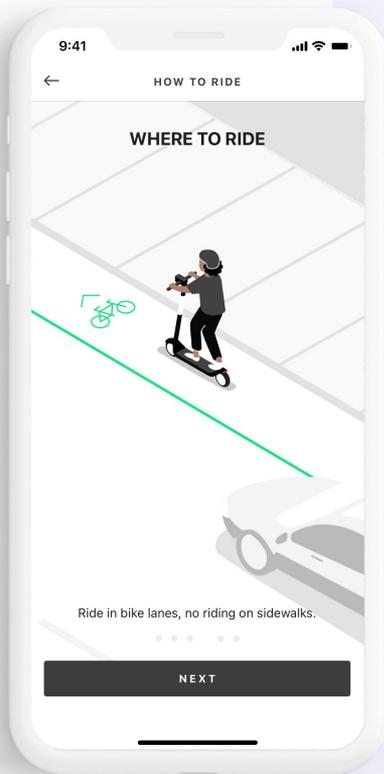
Available for use within the designated 'operating zone'

Vehicle waits for next rider or is moved by Bird

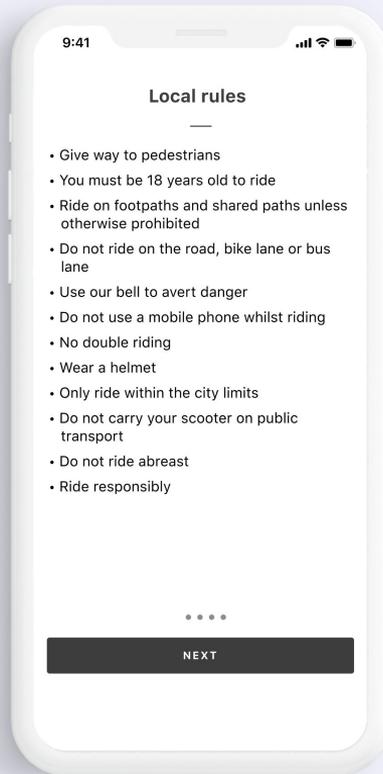


Safety

All riders are required to review a tutorial on how to ride safely before they can start their ride



Safe Riding Tips



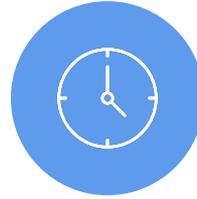
Local Rules

Local Rules

Local rules are customized for each market including specific information about parking and no-ride zones

Safe Operations Leadership

Our policies help regulate the usage and access of our vehicles to ensure both riders and members of the community are able to safely and freely move throughout the city.



**Ceasing late night
operations**



**Responsible
speed limits**



**Minimum age
requirements**



**Zero tolerance
for unsafe
behavior**

Bird's multimodal, shared vehicle fleet



BirdZero

BirdOne

BirdTwo

BirdThree

BirdS

Pricing

Standard Pricing

\$1+ a per minute fee. Averaging ~\$6 a ride.

Equitable Pricing Options

Discounts available to those in government assistance programs, veterans, senior citizens, healthcare workers, students with pell grants, etc.



Transportation for all: Equity Programs

Bird has launched several programs and features aimed at increasing transportation access in the communities where we operate.

1

Text-to-Unlock

Riders who don't have access to a smartphone can text Bird directly to begin a ride

2

Alternative payment options

Bird accepts a range of payment options, prepaid debit cards and cash-to-load payments

3

Equity zone pricing

Bird automatically applies discounts to rides that begin and end in designated equity zones

4

Community pricing

Bird offers discounts up to 50% for qualified low-income, veteran, and senior citizen riders



We offer mobile app and customer support in: Arabic, Catalan, Chinese, Czech, Danish, Dutch, English, Finnish, French, German, Hebrew, Hungarian, Italian, Japanese, Laotian, Polish, Portuguese, Romanian, Russian, Somali, Spanish, Swedish, Turkish, Ukrainian, Vietnamese

Significant economic benefits of micromobility



Supporting Local Businesses

Over 50% of riders report using a Bird to visit a local business, and the majority of those (70%+) said riding a Bird made them more likely to visit that business.¹



Job Creation

To manage local operations, Bird partners with full time Fleet Managers, responsible for on-the-ground fleet logistics, care, and community education.



Expanding Job Access

By doubling or tripling how far people can travel to access public transit, Bird expands job access without lengthening commutes or adding cars to the road.



Reduction in GHG Emissions

Each Bird 3 prevents an estimated 103kg of greenhouse gas emissions during its lifetime.²

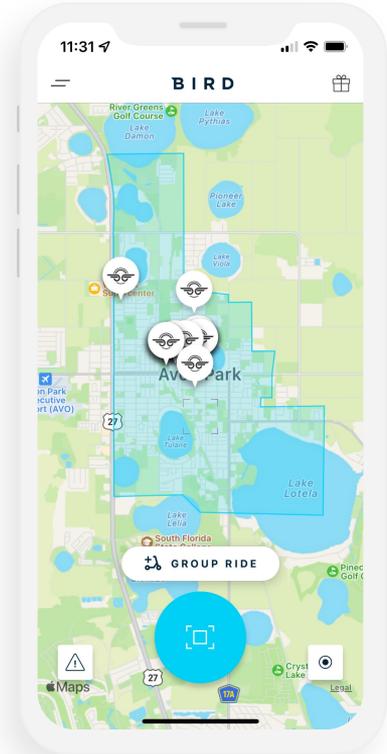
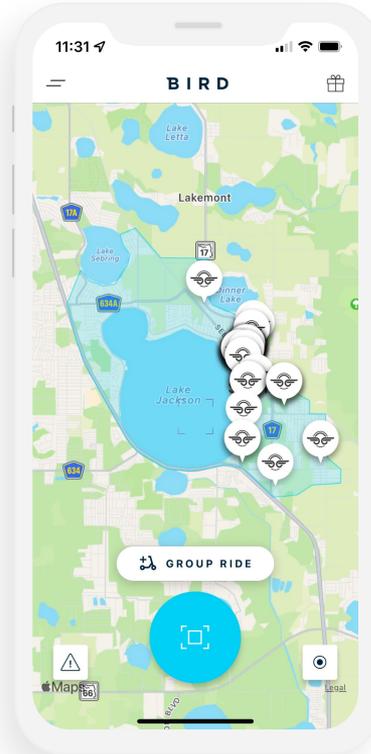


Operating Zone

Scooters will only be active within the city's boundary (highlighted in blue)

Operating Zone can be tailored based on city design

Vehicles will become inoperable should they leave the zone



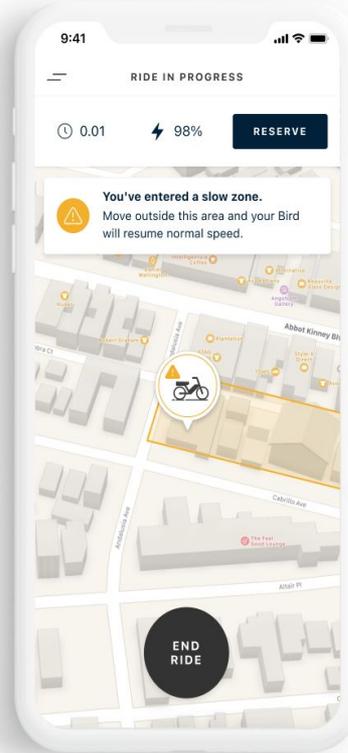
Geo-Zone Technology

All vehicles are tracked with GPS.

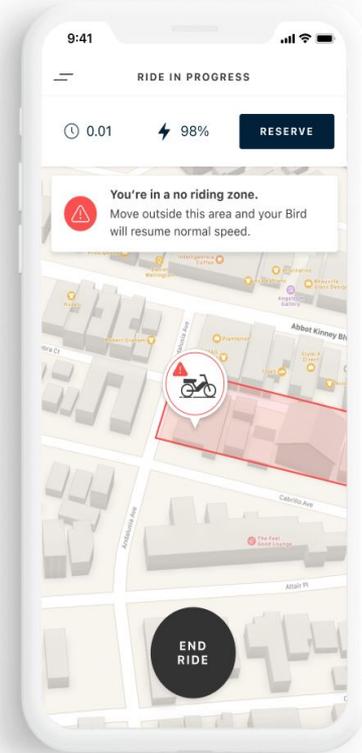
When riders enter a designated geo-zone, vehicles follow set rules.

Vehicles will slow down or stop, and riders are notified by a vehicle sound and an in-app notification.

Slow Zone



No-Ride Zone



Speed Control: How it works

VLS | Vehicle Location System

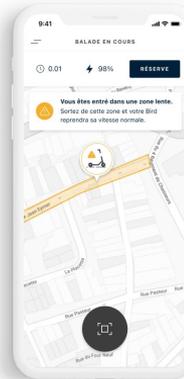
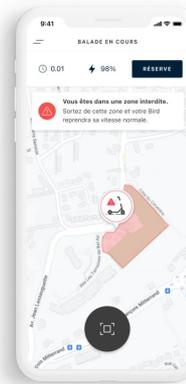
All vehicles are pre-loaded with map data so when a Bird enters a predetermined geospeed zone, the Vehicle Location System (VLS) triggers and the vehicle automatically slows



BirdOS, Bird's proprietary operating system is dynamically preloaded with the local GPS feed as the vehicle travels so there are **no data delays** from having to download geolocation data from the cloud.

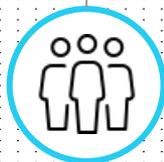


Map data is **cross-checked against current vehicle location** to pinpoint the precise speed limit, no ride zone or other designation (e.g. permitted parking zone) assigned to that location.



Focus on Reducing Clutter

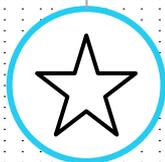
Bird's future relies on properly integrating dockless micromobility into our communities



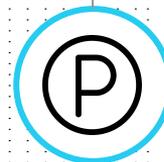
Educate Riders



Nudge Desired Behaviors



Local Presence



Make Space



Leverage Data

Safety is our top priority.

We are committed to providing safe mobility—as evidenced by our industry-leading safety record.

We hold ourselves to strict safety standards, and develop products and tools that protect riders and non-riders.



After 4 years and millions of rides taken on our shared fleets, we are pleased to report a global injury Incidence rate of 1:50K rides, **less than half the medical incident rate of cars.**

Bird's safety focus has driven a safety record superior to cars and micromobility competition.

Documented Medical Incident Rate ^{1,2}



1:50K



1:50K



1:20K



1:10K

- ¹ Injury incidence rate calculated as the percentage of total trips with incidents or accidents reported which required medical treatment. Documented injury rates for bicycles, automobiles, and motorcycles reflect national averages, whereas Bird's documented injury rate (1:50K) reflects Bird's global average incidence rate.
- ² Sources include: Bird internal ride data, The U.S. Consumer Product Safety Commission, The U.S. National Highway Traffic Safety Administration, and The U.S. Bureau of Transportation Statistics

Fleet Manager Model

Developed in partnership with cities, our fleet management approach prioritizes compliance and fleet regulation.

How it works

- We partner with cities directly and are the day-to-day contact
- We thoroughly vet local fleet operators to support logistics on-the-ground
- FMs are given small fleet and then scale up based on compliance metrics and other KPIs
- **Zero debt**, do not need to buy vehicles, no cost to leave the program
- We tightly regulate our fleet operations, and develop features, such as "Ride Ready," to ensure compliance with local regulations



80% retention rates
(v 30-40% for other contractor or hourly models) Many also employ support staff



Operational experts, experience in vehicle management and logistics



Create local businesses opportunities within the community

\$1,500+

Average weekly payout¹

900+

Local business partnerships

80%

Retention rate at month 6

Prioritizing Local Economic Impact

Our Fleet Manager operating model drives local economic impact by creating local business partnerships and increasing spending at businesses for each vehicle on the street.

Our Commitment

- Re-invest in local communities
- Support businesses as they recover
- Provide flexible, self-directed opportunities

Data Dashboard

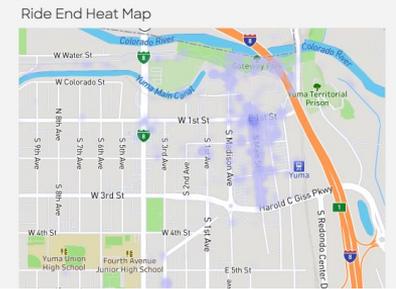
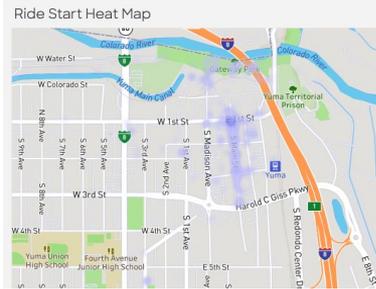
You get access too:

- **Report Summary:**

- Anonymized Rider behaviors such as frequency and length of rides
- Number and length of rides segmented in various dimensions
- Available Birds and number of rides/Bird

- **Map view:** The map will provide a view of the current location of vehicles and nests, with the ability to restrict the view by specific areas

- **Usage heatmaps:** Ride start & end, segmented by various dimensions



Proposal

- ✓ **No Investment Required**
- ✓ **Dedicated Account Manager**
- ✓ **Data Dashboard provided**
- ✓ **# of Vehicles:** 75+ scooters, (means $\frac{2}{3}$ of fleet on street during peak ridership, others charging at FM location)
- ✓ **Specific operation zone**
- ✓ **Launch Date:** 3/2024
- ✓ **Approval Documentation:** Operating Agreement or MOU



Let's Ride

Jeremy Lynch
Sr Govt Partnerships Manager
jlynch@Bird.co





City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 3, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Naomi Siodmok

RE: **A request to schedule a public hearing and consideration of an ordinance recommending approval of a petition for a special use permit at the property located at 2744 South Crater Road for a hand car wash and detailing use in B-2, General Commercial, District. (Page 52)**

PURPOSE: For public hearing and consideration of an ordinance recommending approval of a petition for a special use permit at the property located at 2744 South Crater Road for a hand car wash and detailing use in a B-2, General Commercial, District.

REASON: To comply with policies, procedures and laws regarding the zoning of properties.

RECOMMENDATION: Approval with conditions:

1. The applicant shall maintain a clean site environment without any outside storage of materials or equipment.
2. No vehicle stored on the property awaiting cleaning may be retained on the premises for more than 48-hours.
3. No vehicle repair shall be operated on the subject premises.

BACKGROUND: Mr. Stacey Phelps, owner and operator of Sparkle Detailing, LLC is requesting a special use permit for hand car wash & detailing use at 2744 South Crater Road. This use is permitted with a special use permit per Article 23 of the zoning ordinance. Planning Commission, on September 7, 2023, and staff recommend approval with the following conditions:

1. The applicant shall maintain a clean site environment without any outside storage of materials or equipment.
2. No vehicle stored on the property awaiting cleaning may be retained on the premises for more than 48-hours.
3. No vehicle repair shall be operated on the subject premises.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: Revenue from the development of the property.

CITY COUNCIL HEARING DATE: 10/17/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: City Assessor; Economic Development, Planning and Community Development; Public Works; Neighborhood Services

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: The City Code Appendix B. Zoning

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. 2023 SUP 07 - 2744 S Crater Road - Case Report



City of Petersburg

Department of Planning and
Community Development
135 N. Union Street, Room 304
Petersburg, Virginia 23803

Naomi Siodmok
Planning Director
804-733-2308
nsiodmok@petersburg-va.org

TO: Mayor and City Council

From: Naomi Siodmok, Director of Planning & Community Development
Sandra A. Robinson, Zoning Administrator

Date: October 3, 2023

Subject: Case 2023-SUP-07
2744 S. Crater Road
Petersburg, Virginia 23805
Tax Parcel # 065140005

Request

2023-SUP-07: A petition by Mr. Stacey Phelps, owner and operator of Sparkle Detailing, LLC to be considered under Article 23. Supplementary Use Regulations. Special Uses. Section 4. Special Uses Enumerated. # 23 Stand-alone vehicle repair, to include general automobile repair shops, truck repair shops, transmission repair shops, engine repair shops, car washes or car washing and detailing operations, and similar facilities, such to be permitted within the B-2, and M-1, zoning districts only. The subject property is addressed as 2744 S Crater Road, further identified as TP# 065140005, and currently zoned B-2, General Commercial District which requires the approval of an overlay district of a **Special Use Permit for the proposed hand car wash & detailing use.**

Project Summary

The applicant, Mr. Phelps has been in the car wash and auto detailing business for over 20 years, once operating at the corner of N Jefferson Street and E Washington St and the corner of 601 E Wythe St and S Little Church Street. The applicant also operated a business in Prince George County, Virginia across Oaklawn Blvd and The Crossings Shopping Center located in the vicinity of 5201 Oaklawn Blvd near Dairy Queen and on property addressed as 5298 Plaza Dr, Millers Neighborhood Market, just in front of the Food Lion Grocery Store.



Mr. Phelps would like to continue operating as an entrepreneur in the City of Petersburg, Virginia city limits at the subject property addressed as 2744 S Crater Road. The applicant has been operating from the property under the assumption that because the structure had been built as an automated car wash when the Shell Service Station was in operation in 1994, the use was permitted by right. Upon the Zoning Administrator performing field inspections she recognized the operation and informed Mr. Phelps of the zoning regulations and requirements related to car washing and automobile detailing uses in the City of Petersburg. Hence, the application submittal.

The Zoning Ordinance was amended on May 1, 2001, by ordinance 01-ORD-23 to require a Special Use Permit for stand-alone vehicle repair uses per Article 23 of the Zoning Ordinance.

Article 3 Definitions. Section 2. Definitions. The ordinance defines a stand-alone vehicle repair shop: **A business which is engaged in** the provision of general repairs to motor vehicles, including the serving or rebuilding of engines and transmissions, vehicle suspensions, vehicle electrical, hydraulic, or fuel systems, or the provision of major overhauls and maintenance, or minor repairs and routine maintenance to vehicles or parts thereof, and **the washing or waxing of vehicles either through the use of automated devices or by hand.** The term "stand alone vehicle repair shop" shall not include the painting of vehicles, bodywork or framework performed on vehicles. Neither shall the term "stand alone vehicle repair shop" apply to the service shops of franchised new vehicle dealerships licensed as such by the Virginia Department of Motor Vehicles Dealer Services Division.

Mr. Phelps has operated a clean, well-maintained business since initially going into business and desires to continue operating and growing his business establishment in the city of Petersburg where he has roots. The property is kept free of outside storage of equipment and materials. (See Photos)

If approved, the applicant will be required to delineate the required parking spaces for ease of vehicle flow.



Existing and Surrounding Zoning

The subject property is zoned B-2, General Commercial District and predominantly all the properties fronting along S. Crater Road from Fort Mahone St (Wendy's) just beyond Rives Rd are zoned B-2, as well. The Walnut Hill Shopping Center area and Food Lion Plaza are zoned B-1, Shopping Center District. Just south of the subject property along Park Ave, are the Swift Creek Mill Apartments. The Battlefield Park Residential Subdivision is located along E Park, N Park, and South Park Dr. There is a heavily wooded area to the immediate south of the property between the proposed business and residential areas.



Zoning Map showing the subject property in yellow on Crater Road near Flank Road.



Comprehensive Plan

The City's Comprehensive Plan designates the area for commercial use as seen in red and circled in light blue below.



Public Input

As of the writing of this report, staff has not received any telephone calls or letters of support in favor or opposition to this request.

Recommendation

The Department of Planning & Community Development and the Planning Commission as of the September 7, 2023 meeting recommend approval of this request with the following conditions:

1. The applicant shall maintain a clean site environment without any outside storage of materials or equipment.
2. No vehicle stored on the property awaiting cleaning may be retained on the premises for more than 48-hours.
3. No vehicle repair shall be operated on the subject premises.



Attachments

1. Staff Report
2. Ordinance
3. Land Use Map
4. Site Photos
5. Special Use Permit Application
6. Public Works Correspondence
7. Tax Parcel Information
8. Special Use Code Requirements

AN ORDINANCE RECOMMENDING APPROVAL OF A PETITION FOR A SPECIAL USE PERMIT WITH CONDITIONS AT 2744 SOUTH CRATER ROAD PARCEL IDENTIFICATION NUMBER 065140005 IN THE B-2, GENERAL COMMERCIAL, ZONING DISTRICT FOR HAND CAR WASHING AND DETAILING.

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

WHEREAS, the property is located at 2744 South Crater Road, PID: 065140005 and is in the B-2, General Commercial, zoning district; and

WHEREAS, the City received a petition submitted by Mr. Stacey Phelps, owner and operator of Sparkle Detailing, LLC, for a special use permit (SUP) per Article 23. Supplementary Use Regulations. Special Uses. Section 4. Special Uses Enumerated. # 23 Stand-alone vehicle repair, to include general automobile repair shops, truck repair shops, transmission repair shops, engine repair shops, car washes or car washing and detailing operations, and similar facilities, such to be permitted within the B-2, and M-1, zoning districts only; and

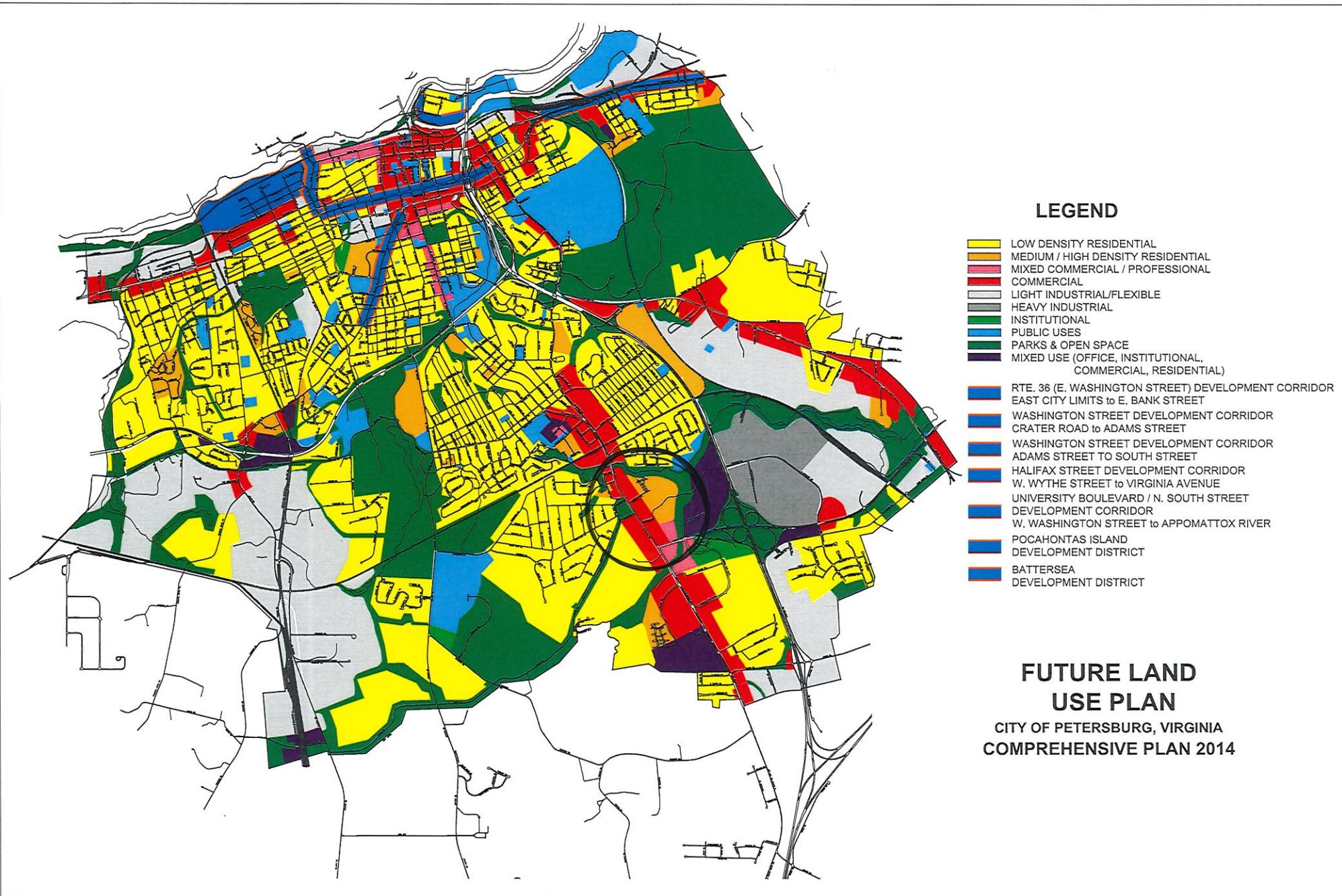
WHEREAS, the proposed use is a hand washing and detailing establishment, which falls within the requirements for a SUP under Article 23; and

WHEREAS, the City's Comprehensive Plan Future Land Use Plan designates the property as commercial and the proposed use is consistent with commercial establishments subject to further review by the Planning Commission and Council; and

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

NOW THEREFORE BE IT RESOLVED that City Council of the City of Petersburg does hereby recommend approval of a special use permit for 2744 South Crater Road subject to the following conditions:

1. The applicant shall maintain a clean site with no outside storage of materials or equipment.
2. No vehicle stored on the property awaiting cleaning may be retained on the premises for more than 48-hours.
3. No vehicle repair shall be operated on the subject premises.



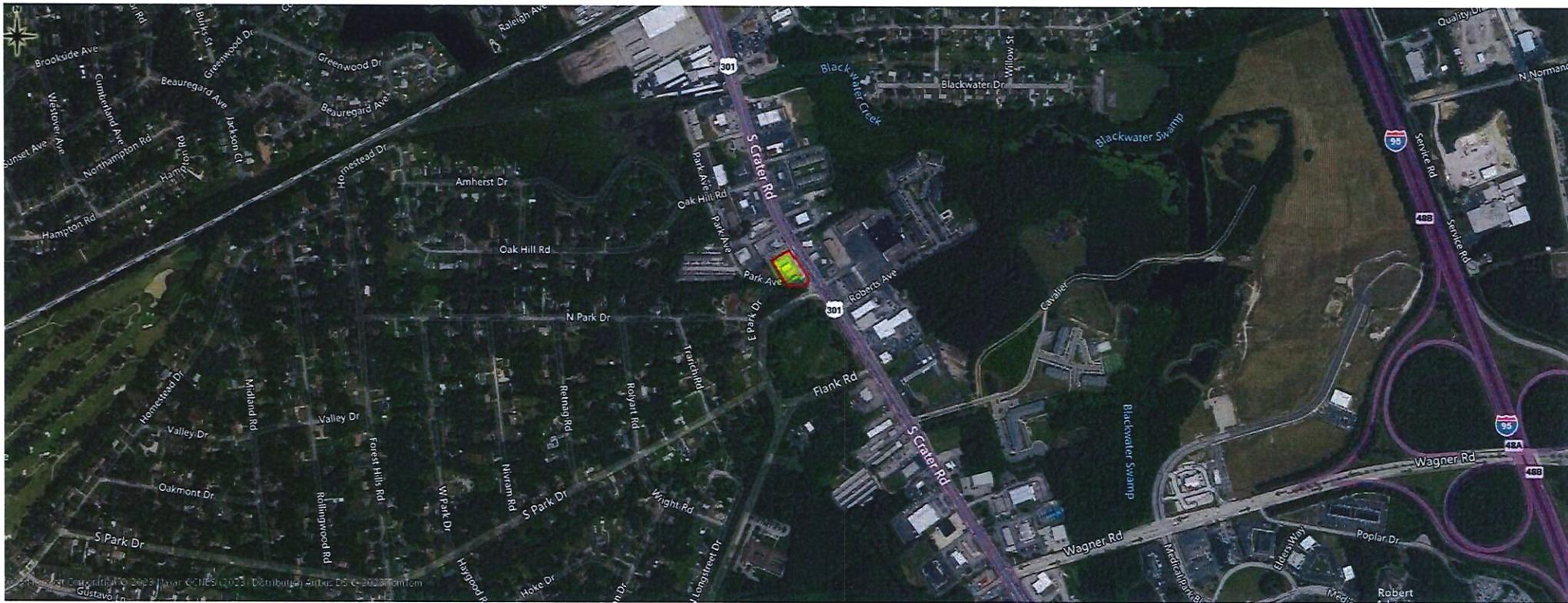
LEGEND

- LOW DENSITY RESIDENTIAL
- MEDIUM / HIGH DENSITY RESIDENTIAL
- MIXED COMMERCIAL / PROFESSIONAL
- COMMERCIAL
- LIGHT INDUSTRIAL/FLEXIBLE
- HEAVY INDUSTRIAL
- INSTITUTIONAL
- PUBLIC USES
- PARKS & OPEN SPACE
- MIXED USE (OFFICE, INSTITUTIONAL, COMMERCIAL, RESIDENTIAL)

- RTE. 36 (E. WASHINGTON STREET) DEVELOPMENT CORRIDOR
- EAST CITY LIMITS to E. BANK STREET
- WASHINGTON STREET DEVELOPMENT CORRIDOR
- CRATER ROAD to ADAMS STREET
- WASHINGTON STREET DEVELOPMENT CORRIDOR
- ADAMS STREET TO SOUTH STREET
- HALIFAX STREET DEVELOPMENT CORRIDOR
- W. WYTHE STREET to VIRGINIA AVENUE
- UNIVERSITY BOULEVARD / N. SOUTH STREET
- DEVELOPMENT CORRIDOR
- W. WASHINGTON STREET to APPOMATTOX RIVER
- POCAHONTAS ISLAND
- DEVELOPMENT DISTRICT
- BATTERSEA
- DEVELOPMENT DISTRICT

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

2744 S Crater Rd - Proposed Sparkle Detailing Site



2744 S CRATER ROAD - B-2, GENERAL COMMERCIAL DISTRICT



© All EagleView Technology Corporation

2744 S CRATER ROAD TP# 065140005



PETITION FOR REZONING OR SPECIAL USE PERMIT

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

CASE NUMBER: 2023-SUP-07

APPLICANT: Stacy Phelps

ADDRESS: 301 Beacon Ridge DR.
Hopewell, Va. 23860

I, Stacy Phelps, owner ^{Sparkle Detailing LLC,} hereby petition to rezone the following described properties
from zoning district B-2 to zoning district B-2

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

Stand-alone Vehicle repair, to include general automobile repair shops, truck repair shops, transmission repair shops, engine repair shops, car-washes or car washing and detailing operations, and similar facilities, such to be permitted within the B-2 and M-A zoning district only.

B. PROPERTY INFORMATION

1. Tax Parcel Identification Number(s):

065240005

2. Current Street Address(es) if assigned):

2744 South Carter Road, Petersburg, Va. 23803

3. Approximate Area:

PLAT ATTACHED sq. ft. .804 acres

4. Public Street Frontage:

PLAT ATTACHED ft.

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

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

7. Brief:

Said deed restrictions will expire on: _____

C. JUSTIFICATION FOR REZONING

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

in the business to opening up a hand car-wash build a location provide appropriate coverage to give job's opportunity to guy's that's not working. get them off the street. Cut down on crime by giving someone a chance in the City of Peterburg to work.

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

was as a car-wash in the past

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

will allow customers to have clean cars at all time.

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

N/A

D. CERTIFICATION:

The undersigned applicant certifies that they:

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

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

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

Signed:

Stacy Phepp

Mailing Address:

*301 Beacon Ridge Dr.
Hopewell, Va. 23860*

Phone Number:

(804) 712-4806

Email Address:

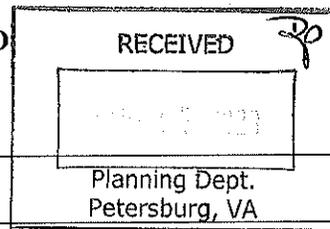
Sparkledetail4806@gmail.com

APPROVED

City Attorney

TO BE FILED IN THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

ACTION RECORD



Date Filed (with Planning Department):

Date of Planning Commission Public Hearing:

Planning Commission Action(s):

Date of City Council Hearing:

City Council Action(s):

PETITION FOR ZONING CHANGE

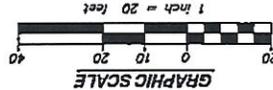
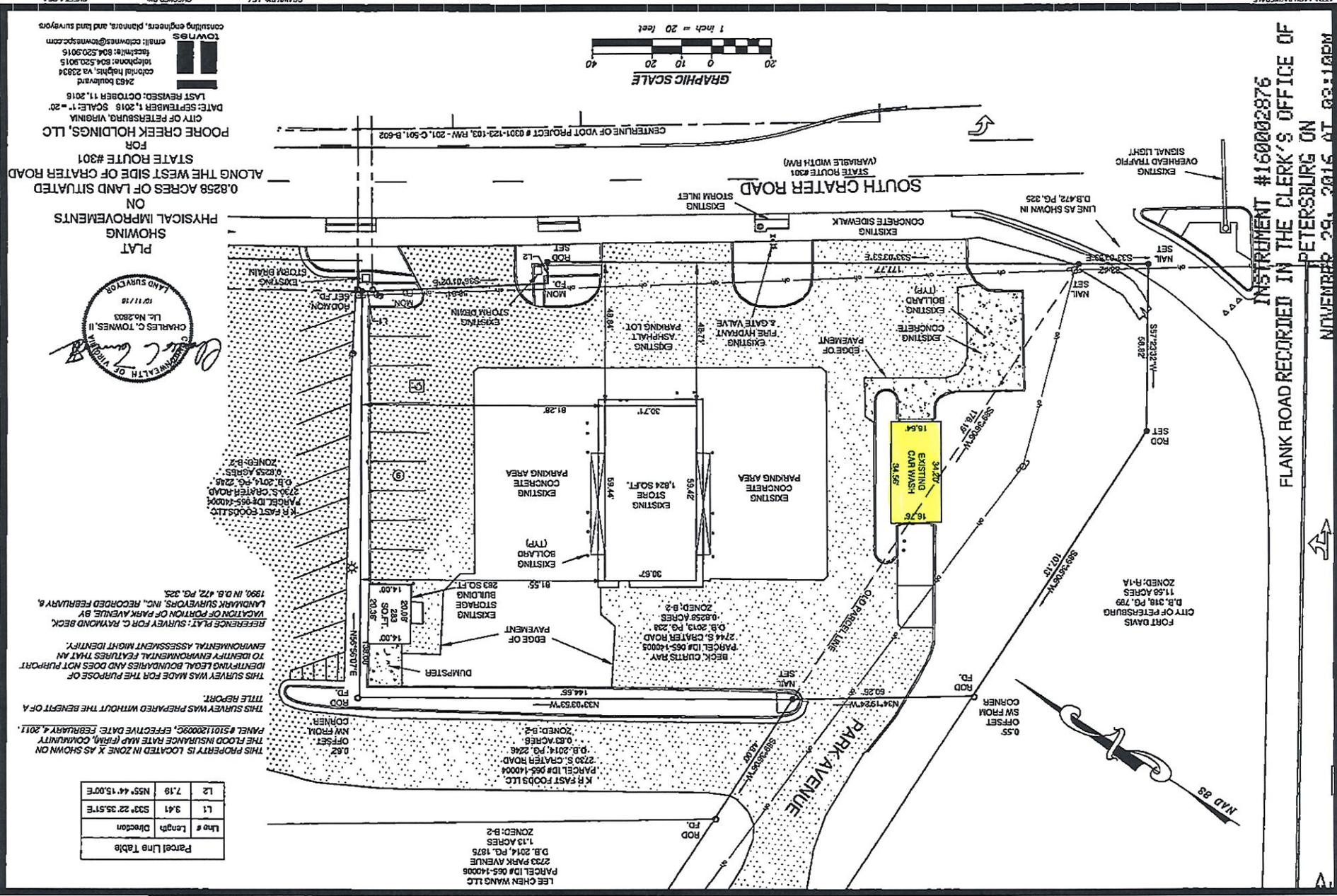
Property Owner(s): Adjacent to Affected Property

NAME(S)

Address(es)

SEE ATTACHED

INSTRUMENT #160002876
 FLANK ROAD RECORDED IN THE CLERK'S OFFICE OF
 PETERSBURG ON
 NOVEMBER 29, 2015 AT 03:10PM
 \$410.00 GRANTOR TAX WAS PAID AS
 REQUIRED BY SEC 58.1-802 OF THE VA. CODE
 STATE: VA



Parcel Line Table

Line #	Length	Direction
L1	3.41	S33° 22' 35.51"E
L2	7.19	N55° 44' 15.00"E

THIS PROPERTY IS LOCATED IN ZONE X AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM), COUNTY PANEL # 5101120009C, EFFECTIVE DATE: FEBRUARY 4, 2011. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT. THIS SURVEY WAS MADE FOR THE PURPOSE OF IDENTIFYING LEGAL BOUNDARIES AND DOES NOT PURPORT TO IDENTIFY ENVIRONMENTAL FEATURES THAT AN ENVIRONMENTAL ASSESSMENT MIGHT IDENTIFY. REFERENCE PLAT: SURVEY FOR C. RAYMOND BECK VACATION OF PORTION OF PARK AVENUE, BY LANDMARK SURVEYORS, INC., RECORDED FEBRUARY 6, 1990, IN D.B. # 72, PG. 325.



PLAT
 SHOWING
 PHYSICAL IMPROVEMENTS
 ON
 0.8258 ACRES OF LAND SITUATED
 ALONG THE WEST SIDE OF CRATER ROAD
 STATE ROUTE #301
 FOR
 POORE CREEK HOLDINGS, LLC
 CITY OF PETERSBURG, VIRGINIA
 DATE: SEPTEMBER 1, 2016 SCALE: 1" = 20'
 LAST REVISED: OCTOBER 11, 2016
 2463 boulevard
 colonial heights, va 22804
 telephone: 804.520.9015
 fax: 804.520.9016
 email: cctownes@townespc.com
 TOWNES
 consulting engineers, planners, and land surveyors

SPECIAL USE PERMIT - ADDENDUM

STACY PHELPS – 2744 S CRATER ROAD PETERSBURG, VIRGINIA 23805

TAX PARCEL # 065140005

B-2, GENERAL COMMERCIAL DISTRICT

DEFINITIONS:

Stand-alone vehicle repair shop. A business which is engaged in the provision of general repairs to motor vehicles, including the serving or rebuilding of engines and transmissions, vehicle suspensions, vehicle electrical, hydraulic, or fuel systems, or the provision of major overhauls and maintenance, or minor repairs and routine maintenance to vehicles or parts thereof, and the washing or waxing of vehicles either through the use of automated devices or by hand. The term "stand alone vehicle repair shop" shall not include the painting of vehicles, bodywork or framework performed on vehicles. Neither shall the term "stand alone vehicle repair shop" apply to the service shops of franchised new vehicle dealerships licensed as such by the Virginia Department of Motor Vehicles Dealer Services Division.

ARTICLE 19. OFF-STREET PARKING REGULATIONS

Section 4. General.

All parking lots, regardless of the number of spaces, must have individual spaces marked. Such spaces shall be laid out on the parking surface with paint or plastic stripping which shall provide a permanent delineation between spaces. Spaces should be arranged so that any maneuvering directly incidental to entering or leaving a parking space shall not be on any public street, alley, or walkway.

Retail establishments, repair, plumbing and heating establishments and service establishments, excluding personal services defined hereinabove: One (1) space for every three hundred (300) square feet.

ARTICLE 23. SUPPLEMENTARY USE REGULATIONS—SPECIAL USES

Section 4. Special uses enumerated.

(23) Stand-alone vehicle repair, to include general automobile repair shops, truck repair shops, transmission repair shops, engine repair shops, car washes or car washing and detailing operations, and similar facilities, such to be permitted within the **B-2 and M-1 zoning districts** only.

TAX PARCEL 065140005
STACEY PHELPS

P #	Address	Owner
65140004	2730 S. CRATER ROAD Petg, VA. 23805 B-2	RAO. TANGADA K. PREMASUDHA 11637 Riverboat Dr Chester, VA. 23836
65140006	2733 PARK AVE Petersburg, VA. 23805 B-2	LEE CHEN WANG LLC 2733 PARK AVE PETERSBURG, VA. 23805
65120008	2727 S. CRATER Rd Petersburg, VA. 23805 B-2	GURUGI, LLC 2727 S. CRATER Rd PETERSBURG, VA. 23805
65120009	2731 S Crater Rd Petersburg, VA. 23805 B-2	SAYYAR PETERSBURG PROPERTY LLC 5231 Hickory Park Suite E. GLENALLEN, VA. 23059
65120014	2755 S. Crater Rd Petersburg, VA. 23805 B-2	Barksdale Oils Inc P.O. Box 910 Petersburg, VA. 23803
65120015	2791 S Crater Rd Petersburg, VA. 23805 B-2	STOREHOUSE OF VIRGINIA INC P.O. Box 1605 PETERSBURG, VA. 23805
65120012	2795 S. Crater Rd Petersburg, VA. 23805 B-2	ENGLISH HILLS PROPERTIES LLC P.O. Box 872 COLONIAL HEIGHTS, VA. 23834

65120013

2787 S. Crater Rd
Petersburg, VA. 23805
B-2

BARKSDALE BRUNER WASH
P. O. Box 910
Petersburg, VA. 23803

65140003

2716 S. Crater Rd
Petersburg, VA. 23805
B-2

NATIONAL RETAIL PROPERTIES LP
450 South Orange Ave
ORLANDO, FL 32801

65120007

2719 S. Crater Rd
Petersburg, VA. 23805
B-2

TAP LLC
2410 BOULEVARD
COLONIAL HEIGHTS, VA. 23834

81030001

2800 S Crater Rd
Petersburg, VA. 23805

PETERSBURG NATIONAL BATTLEFIELD

RE: Comment - 2744 S Crater Road Tax Parcel 065140005 SUP Requested for hand car wash/detailing

Darryl Walker <dwalker@petersburg-va.org>

Thu 8/31/2023 4:53 PM

To: Sandra Robinson <srobinson@petersburg-va.org>

Cc: Jerry Byerly <jbyerly@petersburg-va.org>

"Operation of the car wash lane on the premises is considered a **commercial** washing operation and therefore subject to the City's Illicit Discharge Ordinance without proper collection and disposal of residual wash water from operating the car wash lane."

From: Sandra Robinson <srobinson@petersburg-va.org>

Sent: Thursday, August 31, 2023 4:48 PM

To: Darryl Walker <dwalker@petersburg-va.org>

Cc: Jerry Byerly <jbyerly@petersburg-va.org>

Subject: Re: Comment - 2744 S Crater Road Tax Parcel 065140005 SUP Requested for hand car wash/detailing

Thanks Jerry,

Is there any particular language we should incorporate within an approval/recommendation?

Sandra

From: Darryl Walker <dwalker@petersburg-va.org>

Sent: Thursday, August 31, 2023 4:38 PM

To: Sandra Robinson <srobinson@petersburg-va.org>

Cc: Jerry Byerly <jbyerly@petersburg-va.org>

Subject: RE: Comment - 2744 S Crater Road Tax Parcel 065140005 SUP Requested for hand car wash/detailing

We haven't really regulated that much at all – e.g. the NE corner of Washington and Jefferson...so I don't think we can really break precedent here.

That being said, the applicant should be notified that if he does open that car wash lane up and starts operating that, it would then become more of a "commercial" car washing operation and the wash water would have to be collected and disposed of properly...otherwise it would be a violation of the City's Illicit Discharge Ordinance.

From: Sandra Robinson <srobinson@petersburg-va.org>

Sent: Thursday, August 31, 2023 4:26 PM

To: Darryl Walker <dwalker@petersburg-va.org>

Cc: Jerry Byerly <jbyerly@petersburg-va.org>

Subject: Re: Comment - 2744 S Crater Road Tax Parcel 065140005 SUP Requested for hand car wash/detailing

I'm going to say 1994 is when the car wash was built. The structure is still out there. Again, he is only doing hand car-washing and detailing.

Sandra

From: Darryl Walker <dwalker@petersburg-va.org>

Sent: Thursday, August 31, 2023 3:32 PM

To: Sandra Robinson <srobinson@petersburg-va.org>

Cc: Jerry Byerly <jbyerly@petersburg-va.org>

Subject: RE: Comment - 2744 S Crater Road Tax Parcel 065140005 SUP Requested for hand car wash/detailing

When is the last time the care wash lane operational? Based on the old Google Map images I have seen (back to 2008) none of them appear to show the site or the car wash lane in operation.

From: Sandra Robinson <srobinson@petersburg-va.org>

Sent: Thursday, August 31, 2023 2:54 PM

To: Darryl Walker <dwalker@petersburg-va.org>

Cc: Jerry Byerly <jbyerly@petersburg-va.org>

Subject: Comment - 2744 S Crater Road Tax Parcel 065140005 SUP Requested for hand car wash/detailing

Good afternoon Darryl and Jerry,

Do either of you see any issues with a hand car washing and detailing service establishment being located at 2744 S Crater Road. The subject property at one time had an automatic car washing structure in use when the Shell or Kangaroo Service Station was there. This item is being reviewed by the Planning Commission at its September 7, 2023 meeting.

Sandra A Robinson

Zoning Administrator

Planning/Community Development

Phone 804-733-2309

Cell 804-481-0800

srobinson@petersburg-va.org

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City of Petersburg

Department of Planning and
Community Development
804-733-2308

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

August 28, 2023

Public Notice

Notice is hereby given to all interested persons, property owners and business owners that the City of Petersburg Planning Commission will hold a Public Hearing on Thursday, September 7, 2023, beginning at 6:30pm., at the Petersburg Public Library, Multi-Purpose Room, 201 W Washington Street, Petersburg, Virginia, 23803 to hear the following case:

2023-SUP-07: A petition by Mr. Stacey Phelps, owner and operator of Sparkle Detailing, LLC. to be considered under Article 23. Supplementary Use Regulations. Special Uses. Section 4. Special Uses Enumerated. # 23 Stand-alone vehicle repair, to include general automobile repair shops, truck repair shops, transmission repair shops, engine repair shops, car washes or car washing and detailing operations, and similar facilities, such to be permitted within the B-2, and M-1, zoning districts only. The subject property is addressed as 2744 S Crater Road, further identified as TP# 065140005, and currently zoned B-2, General Commercial District which requires the approval of an overlay district of a Special Use Permit for the proposed hand car wash & detailing use.

Information and related material concerning the Public Hearing items may be examined on the Planning Commission Website: <http://www.petersburgva.gov/119/Planning-Commission>, or by contacting the Department of Economic Development, Planning and Community Development at (804)-733-2308.

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

Should you have any questions or need additional information, please contact the Department of Economic Development, Planning and Community Development by postal mail sent to 135 N Union Street, Petersburg, VA. 23803, via telephone at 804-733-2308, or via email at pcd@petersburg-va.org.

Naomi Siodmok,

Director of Planning and Community Development

Petersburg, Virginia

Parcel: 065140005

Summary

Owner Name	POORE CREEK HOLDINGS C/O BARKSDALE OILS	National Historic District:	
Owner Mailing Address	1041 BANK ST PETERSBURG, VA 23803	Enterprise Zone:	
Property Use	428	Opportunity Zone:	
State Class:	4 Commercial and Industrial	VA Senate District:	16
Zoning:	B-2	Va House District:	63
Property Address	2744 CRATER RD Petersburg, VA	Congressional District:	4
Legal Acreage:	.804	City Ward:	3
Legal Description:	WALNUT HILL GARDENSPT LTS 20-25 BK A SEC 1 PARCEL A	Polling Place:	Petersburg High School Gymnasium
Subdivision:	Walnut Hill Gardens	Primary Service Area:	W-S
Assessment Neighborhood Name:		Census Tract:	8111
Local Historic District:		Elementary School:	Walnut Hill
		Middle School:	Vernon Johns Middle School
		High School:	Petersburg High School

Improvements

Finished (Above Grade):	4,205	Shed:	268
Basement:		Total Rooms:	
Attached Garage:	529	Bedrooms:	
Detached Garage:		Full Baths:	2
Enclosed Porch:		Half Baths:	
Open Porch:		Foundation:	
Deck/Patio:		Central A/C:	100%

Ownership History

Previous Owner Name	Sale Date	Sale Price	Doc # or Deed Book/pg
BECKCURTIS RAY	11/29/2016	\$300,000	2016/2876
BECKC RAYMOND	9/9/2013	\$0	2013/0238
	7/30/2001	\$0	2001/2734

Assessments

Valuation as of	01/01/2019	01/01/2020	01/01/2021	01/01/2022	01/01/2023
Effective for Billing:	07/01/2019	07/01/2020	07/01/2021	07/01/2022	07/01/2023
Reassessment					
Land Value	\$234,000	\$234,000	\$234,000	\$234,000	\$234,000
Improvement Value	\$175,700	\$175,700	\$175,700	\$175,700	\$175,700
Total Value	\$409,700	\$409,700	\$409,700	\$409,700	\$409,700

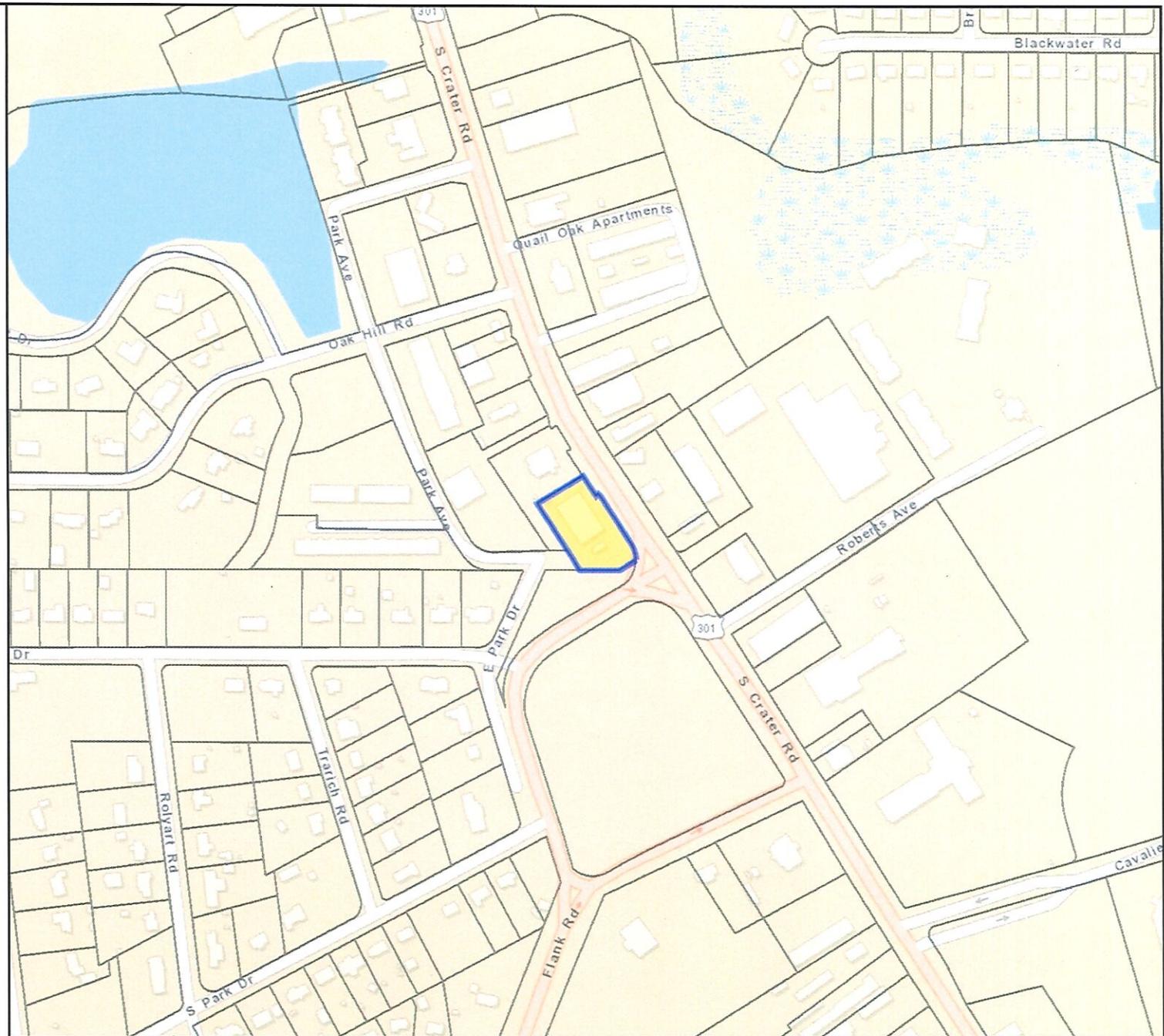
Property Tax (Coming Soon)

DISCLAIMER: This data is provided without warranty of any kind, either expressed or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. Any person, firm or corporation which uses this map or any of the enclosed information assumes all risk for the inaccuracy thereof, as County of Petersburg expressly disclaims any liability for loss or damage arising from the use of said information by any third party.

Petersburg, Virginia

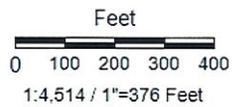
Legend

-  County Boundaries
-  Parcels
- Local Historic Districts
 -  Battersea/West High Street
 -  Centre Hill
 -  Courthouse
 -  Folley Castle
 -  Old Towne
 -  Poplar Lawn
 -  South Market Street



Parcel #: 065140005

Date: 8/15/2023



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

**ARTICLE 23. SUPPLEMENTARY USE
REGULATIONS – SPECIAL USES**

Section 1. [Procedure for obtaining special use permit.]

Recognizing that certain uses may be desirable when located in the community, but that these uses may be incompatible with other uses permitted in a district, certain special uses listed in section 4, below, when found to be in the interest of the public health, safety, morals and general welfare of the community, may be permitted in any district from which they are prohibited. Before the location or establishment thereof, or before any change of use of the premises existing at the time of the effective date of the regulations, or permitted as herein provided, is made, preliminary plans in sufficient detail, and a statement as to the proposed use of the buildings, structures and premises, shall be submitted to the planning commission. The commission shall hold a public hearing as provided in article 28, and shall review such plans and statements and shall, after a careful study thereof and of the effect that such buildings, structures or uses will have upon the surrounding territory, submit a recommendation to the city council within thirty (30) days following said hearing. Following receipt of the commission's report, the city council may permit such buildings, structures or uses, where requested; provided, that the public health, safety, morals, and general welfare will not be adversely affected, that ample off-street parking facilities will be provided, and that necessary safeguards will be provided for the protection of surrounding property, persons, and neighborhood values.

Section 2. [Qualification of nonconforming use as special use.]

Any special use listed in section 4, below, existing at the effective date of these regulations, shall be considered a nonconforming use, unless it has qualified as provided above, and has been approved as a "special use" by the city council.

Section 3. [Additions or alterations to special uses.]

When [such changes are] found to be in the interest of the public health, safety, morals, and general welfare, the board of zoning appeals is hereby authorized to approve any and all additions or structural alterations to special uses after they have qualified and have been approved by the city council.

Supp. No. 5

Section 4. Special uses enumerated.

The following special uses may be approved by the council, as provided in this article:

- (1) Airports and landing fields;
- (2) Circus or carnival grounds, temporary for a specified period;
- (3) Drive-in theater;
- (4) Fairgrounds;
- (5) Public utilities or public service uses, buildings, structures or appurtenances thereto, including limited off-street parking adjoining, or adjacent to, the property when located in a residence district; provided no business involving the repair, servicing or sale, or display of vehicles shall be conducted on such parking area; and no structures, including signs, will be erected on the parking area; and no charge will be made for parking within the premises; and the parking will be set back from the street in keeping with the existing front and side yard regulations of the residence district;
- (6) Public or government buildings;
- (7) Hospitals or sanitariums;
- (8) Cemetery;
- (9) Sports arena or stadium;
- (10) Race track;
- (11) Radio or television tower or broadcasting station;
- (12) Child care centers in residential district.
- (13) Bed and breakfast inn in R-3, R-4, R-5, and RB districts meeting the following requirements:
 - (a) Permitted capacity of two (2) persons per sleeping room, not to exceed a maximum of twenty (20) persons per structure;
 - (b) One-half (1/2) off-street parking space per sleeping room;
 - (c) Resident-manager on premises;
 - (d) Permitted sign area not to exceed two (2) square feet;
 - (e) Other requirements as deemed necessary to provide for the protection of surrounding property, persons, and neighborhood values.

- (14) Operations involving shredding, cutting or otherwise processing of used or discarded tires, or operations involving the storage, distribution, or sale of used tires or discarded tires if more than two hundred (200) such tires are located on site, even if such operation is ancillary to the main use of the site. Notwithstanding any other regulations within this article, these uses may only be permitted in M-1 and M-2 zoning districts.
- (15) Nightclub in B-2 and M-1 zoning district only.
- (16) Boarding, rooming, or lodging houses such to be permitted only in R-5 and B-2 zoning districts.
- (17) Convalescent and nursing homes such to be permitted only in R-5 and B-2 zoning districts.
- (18) Adult book store, adult entertainment establishment, adult motion picture theater and adult video store such to be permitted only in the B-2 zoning district.
- (19) Vehicle rebuilder, such to be allowed only in the M-1 and M-2 zoning districts.
- (20) Vehicle removal operator, vehicle storage lot, or vehicle tow lot, such to be permitted within the m-1 and M-2 zoning districts only.
- (21) Auto body shop and vehicle painting operations not accessory to a new-vehicle dealership such to be permitted only in the B-2, M-1, and M-2 zoning districts only.
- (22) Stand-alone used vehicle sales not associated with a new-vehicle dealership or not located upon the same parcel as such new-vehicle dealership, if located upon parcels of less than one acre in area, such to be permitted within the B-2 and M-1 zoning districts only.
- (23) Stand-alone vehicle repair, to include general automobile repair shops, truck repair shops, transmission repair shops, engine repair shops, car washes or car washing and detailing operations, and similar facilities, such to be permitted within the B-2 and M-1 zoning districts only.

- (24) Small engine repair shop to be allowed within the B-2 and M-1 zoning districts only.
- (25) Tractor-trailer service station, to be allowed within the B-2, M-1, and M-2 zoning districts only.
- (26) Automobile service stations, to be permitted within the B-2, M-1, and M-2 zoning districts only.
- (27) Boat, semi-trailer truck, or recreational vehicle dealerships, to be allowed in the B-2 and M-1 zoning districts only.
- (28) Contractor storage yards such to be permitted within the m-1 and M-2 zoning districts only.
- (29) Mulching or composting facilities or yards such to be permitted within the M-1 and M-2 zoning districts only.
- (30) Mini-storage facilities or self-storage facilities such uses permitted within the B-2, M-1, and M-2 zoning districts only.
- (31) Homeless shelter.
- (32) Private Jails, halfway houses, or private prisons, whether for-profit or non-profit, such to be permitted within the B-2 zoning district only.
- (33) Hotels and motels providing fewer than forty-five (45) guest rooms, such to be permitted within the B-1, B-2, B-3, and MXD-2 Districts only.
- (34) Mobile home sales or the sales, storage, or display of modular housing units or mobile homes, such to be permitted within the M-1 District only.



City of Petersburg

Ordinance, Resolution, and Agenda Request

DATE: October 3, 2023

TO: The Honorable Mayor and Members of City Council

THROUGH: March Altman, Jr., City Manager

FROM: Naomi Siodmok

RE: **Presentation on Bird Scooters from Jeremy Lynch, Senior Government Partnerships Manager (Page 81)**

PURPOSE: To discuss bringing an e-scooter program to the City of Petersburg.

REASON: Providing a sustainable and electric form of mobility to residents of the City of Petersburg.

RECOMMENDATION: For information only.

BACKGROUND: Bird has been in the electric scooter business for more than five years, with programs in Fairfax, Lynchburg, Richmond, Newport News, and Harrisonburg to name a few.

COST TO CITY: N/A

BUDGETED ITEM: N/A

REVENUE TO CITY: N/A

CITY COUNCIL HEARING DATE: 10/3/2023

CONSIDERATION BY OTHER GOVERNMENT ENTITIES: N/A

AFFECTED AGENCIES: N/A

RELATIONSHIP TO EXISTING ORDINANCE OR RESOLUTION: N/A

REQUIRED CHANGES TO WORK PROGRAMS: N/A

ATTACHMENTS:

1. Bird 2023_Petersburg, VA



Hello, Petersburg, VA

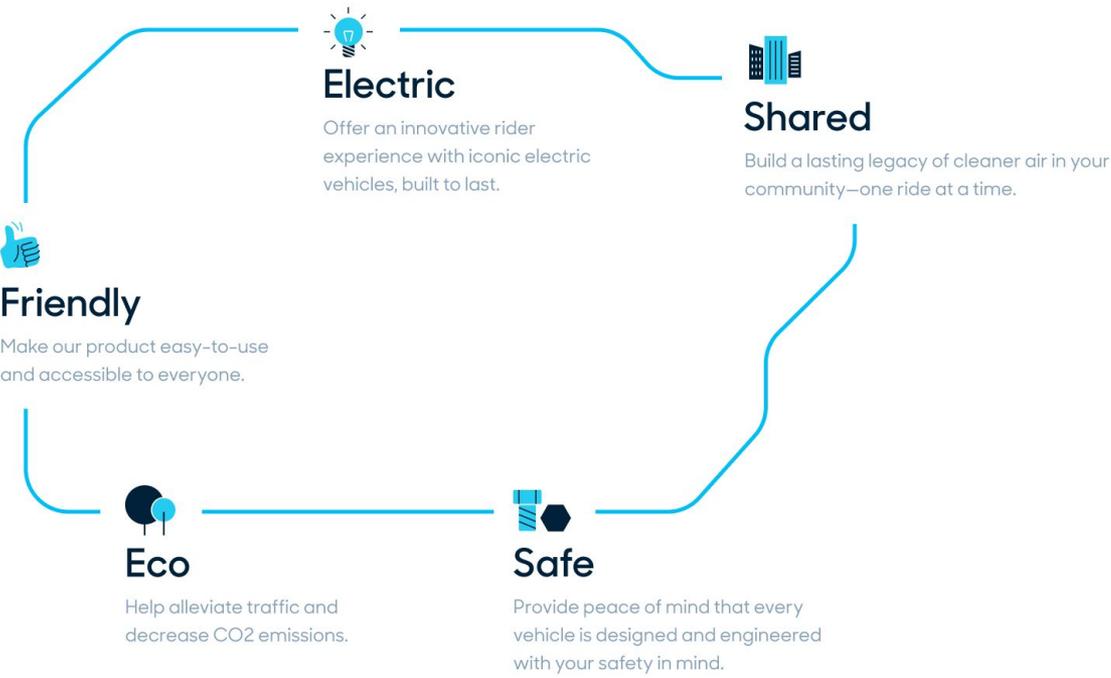


October 2023



What is Bird?

A micromobility company with a focus in shared electric vehicles.



Who is Bird?

Bird is a dockless electric micro-mobility vehicle sharing company that operates in over **350 cities** and **70 universities**.

Our mission is make cities and campuses more livable and bring communities together by providing affordable, environmentally-friendly transportation.

Today...

5 Continents.
25 Countries.
350+ Cities.
70+ Universities
100M+ Rides.
 Listed on **NYSE**
BRDS



Solve last-mile problem and connect more residents to transit options



Reduce congestion and over-reliance on cars



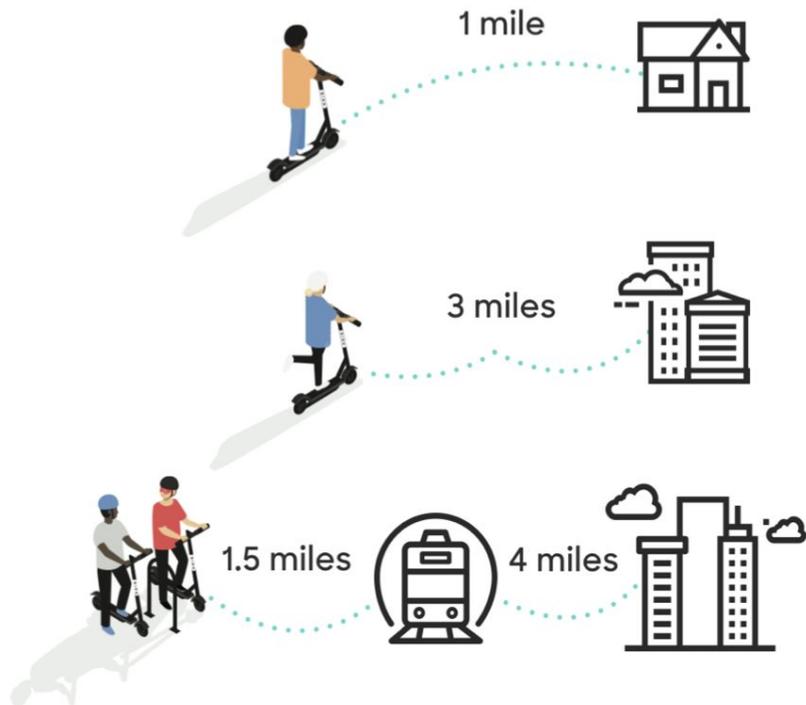
Improve air quality and reduce GHG emissions



Improve the overall quality of life

First Mile Last Mile

Great solution for quick trips



Get to School or Work

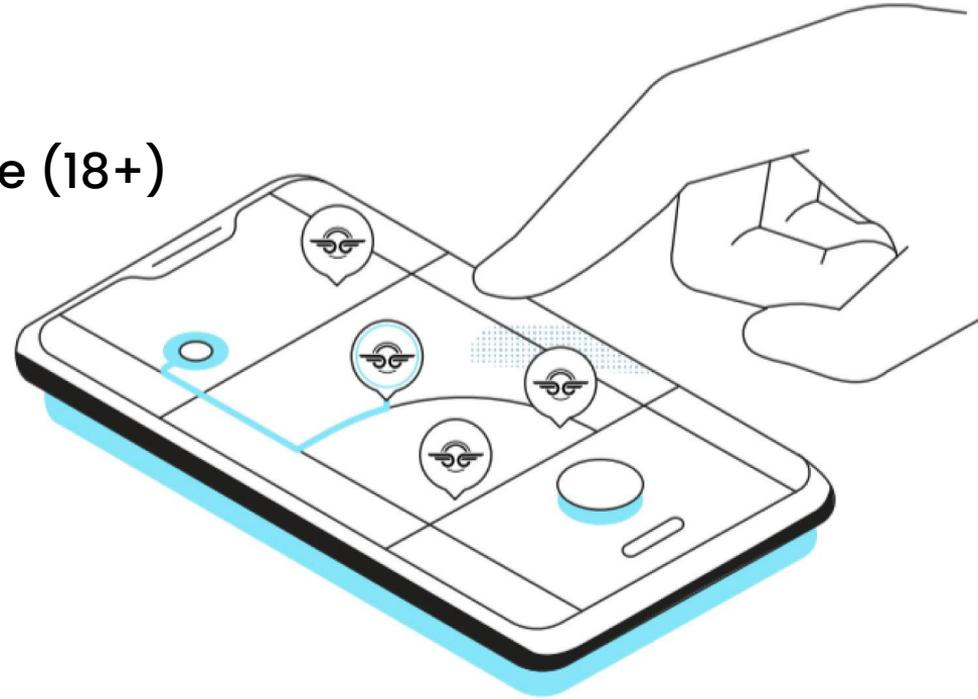
Don't hassle to re-park

Connect to transit or go one way



How it works

1. Download the Bird app
2. Sign user agreement & verify age (18+)
3. Add payment
4. Complete educational tutorials
5. Enjoy the ride!



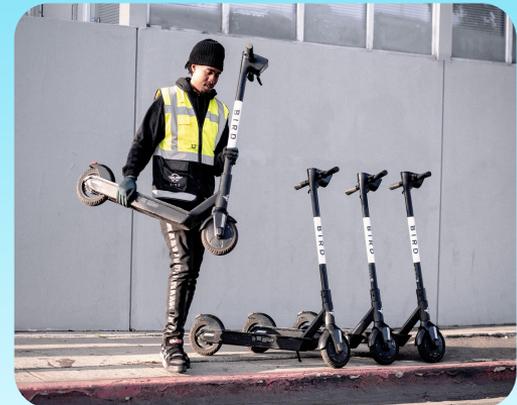
The Dockless Model

Follow the rules of the road like a bike

Freedom to choose where to pick up and drop off

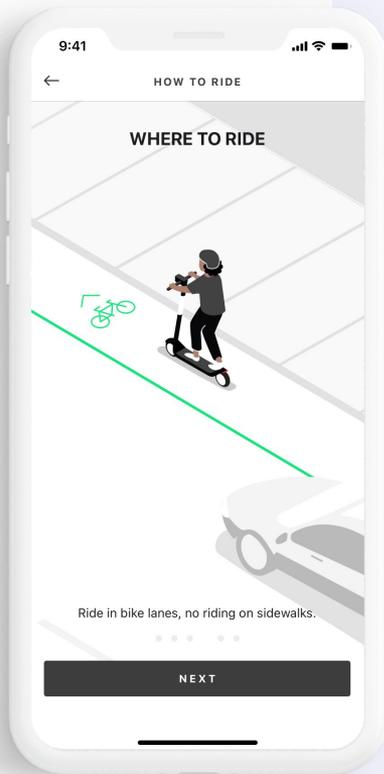
Available for use within the designated 'operating zone'

Vehicle waits for next rider or is moved by Bird

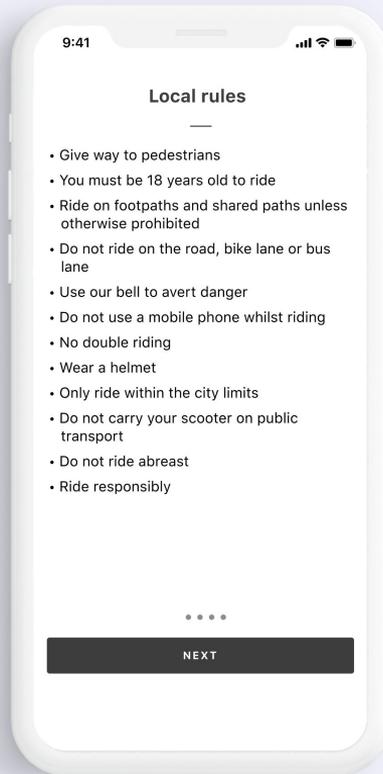


Safety

All riders are required to review a tutorial on how to ride safely before they can start their ride



Safe Riding Tips



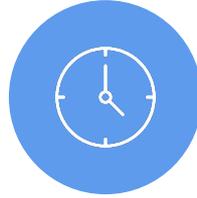
Local Rules

Local Rules

Local rules are customized for each market including specific information about parking and no-ride zones

Safe Operations Leadership

Our policies help regulate the usage and access of our vehicles to ensure both riders and members of the community are able to safely and freely move throughout the city.



**Ceasing late night
operations**



**Responsible
speed limits**



**Minimum age
requirements**



**Zero tolerance
for unsafe
behavior**



Bird's multimodal, shared vehicle fleet



BirdZero

BirdOne

BirdTwo

BirdThree

BirdS

Pricing

Standard Pricing

\$1+ a per minute fee. Averaging ~\$6 a ride.

Equitable Pricing Options

Discounts available to those in government assistance programs, veterans, senior citizens, healthcare workers, students with pell grants, etc.



Transportation for all: Equity Programs

Bird has launched several programs and features aimed at increasing transportation access in the communities where we operate.

1

Text-to-Unlock

Riders who don't have access to a smartphone can text Bird directly to begin a ride

2

Alternative payment options

Bird accepts a range of payment options, prepaid debit cards and cash-to-load payments

3

Equity zone pricing

Bird automatically applies discounts to rides that begin and end in designated equity zones

4

Community pricing

Bird offers discounts up to 50% for qualified low-income, veteran, and senior citizen riders



We offer mobile app and customer support in: Arabic, Catalan, Chinese, Czech, Danish, Dutch, English, Finnish, French, German, Hebrew, Hungarian, Italian, Japanese, Laotian, Polish, Portuguese, Romanian, Russian, Somali, Spanish, Swedish, Turkish, Ukrainian, Vietnamese

Significant economic benefits of micromobility



Supporting Local Businesses

Over 50% of riders report using a Bird to visit a local business, and the majority of those (70%+) said riding a Bird made them more likely to visit that business.¹



Job Creation

To manage local operations, Bird partners with full time Fleet Managers, responsible for on-the-ground fleet logistics, care, and community education.



Expanding Job Access

By doubling or tripling how far people can travel to access public transit, Bird expands job access without lengthening commutes or adding cars to the road.



Reduction in GHG Emissions

Each Bird 3 prevents an estimated 103kg of greenhouse gas emissions during its lifetime.²

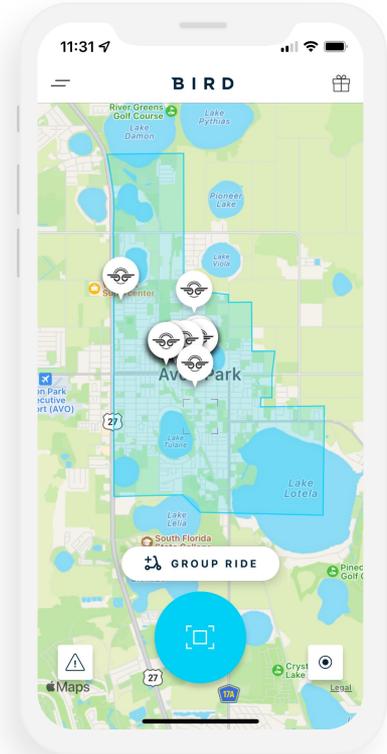
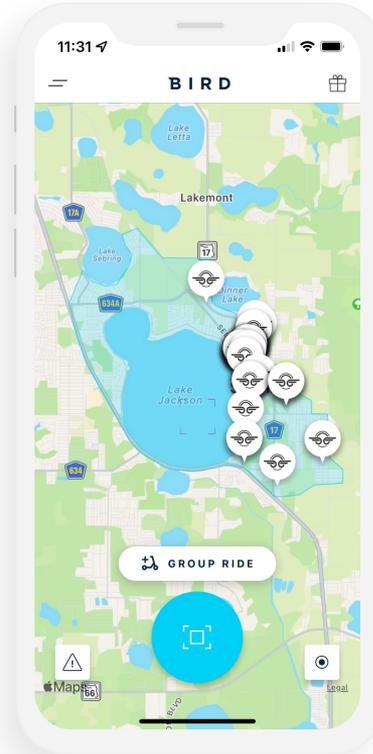


Operating Zone

Scooters will only be active within the city's boundary (highlighted in blue)

Operating Zone can be tailored based on city design

Vehicles will become inoperable should they leave the zone





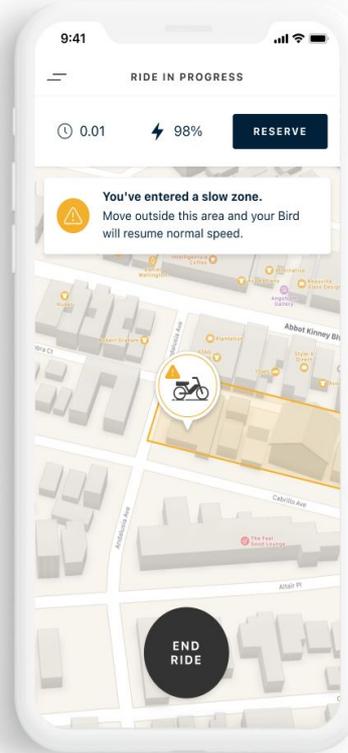
Geo-Zone Technology

All vehicles are tracked with GPS.

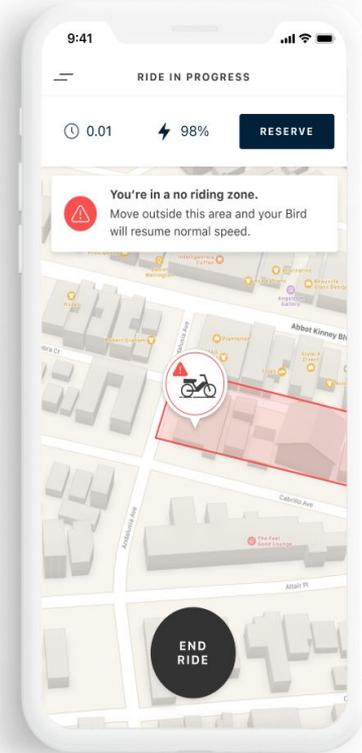
When riders enter a designated geo-zone, vehicles follow set rules.

Vehicles will slow down or stop, and riders are notified by a vehicle sound and an in-app notification.

Slow Zone



No-Ride Zone



Speed Control: How it works

VLS | Vehicle Location System

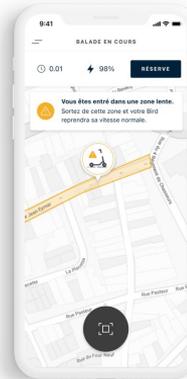
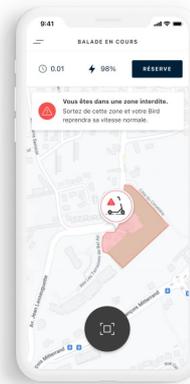
All vehicles are pre-loaded with map data so when a Bird enters a predetermined geospeed zone, the Vehicle Location System (VLS) triggers and the vehicle automatically slows



BirdOS, Bird's proprietary operating system is dynamically preloaded with the local GPS feed as the vehicle travels so there are **no data delays** from having to download geolocation data from the cloud.

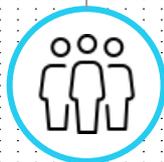


Map data is **cross-checked against current vehicle location** to pinpoint the precise speed limit, no ride zone or other designation (e.g. permitted parking zone) assigned to that location.



Focus on Reducing Clutter

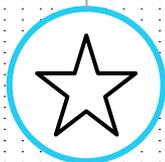
Bird's future relies on properly integrating dockless micromobility into our communities



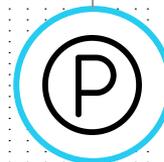
Educate Riders



Nudge Desired Behaviors



Local Presence



Make Space



Leverage Data

Safety is our top priority.

We are committed to providing safe mobility—as evidenced by our industry-leading safety record.

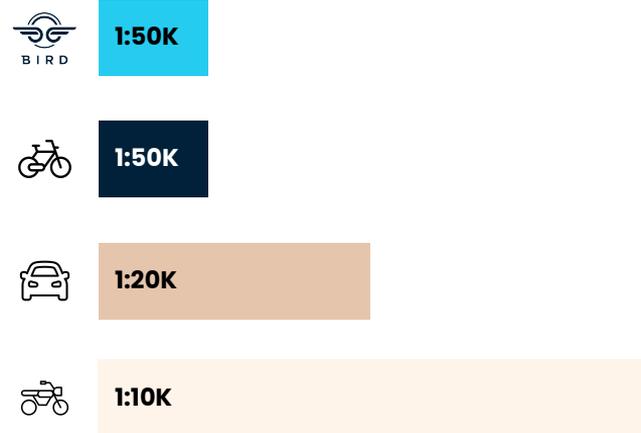
We hold ourselves to strict safety standards, and develop products and tools that protect riders and non-riders.



After 4 years and millions of rides taken on our shared fleets, we are pleased to report a global injury Incidence rate of 1:50K rides, **less than half the medical incident rate of cars.**

Bird's safety focus has driven a safety record superior to cars and micromobility competition.

Documented Medical Incident Rate ^{1,2}



1. Injury incidence rate calculated as the percentage of total trips with incidents or accidents reported which required medical treatment. Documented injury rates for bicycles, automobiles, and motorcycles reflect national averages, whereas Bird's documented injury rate (1:50K) reflects Bird's global average incidence rate. Sources include: Bird internal ride data, The U.S. Consumer Product Safety Commission, The U.S. National Highway Traffic Safety Administration, and The U.S. Bureau of Transportation Statistics

2.

Fleet Manager Model

Developed in partnership with cities, our fleet management approach prioritizes compliance and fleet regulation.

How it works

- We partner with cities directly and are the day-to-day contact
- We thoroughly vet local fleet operators to support logistics on-the-ground
- FMs are given small fleet and then scale up based on compliance metrics and other KPIs
- **Zero debt**, do not need to buy vehicles, no cost to leave the program
- We tightly regulate our fleet operations, and develop features, such as "Ride Ready," to ensure compliance with local regulations



80% retention rates
(v 30-40% for other contractor or hourly models) Many also employ support staff



Operational experts, experience in vehicle management and logistics



Create local businesses opportunities within the community

\$1,500+

Average weekly payout¹

900+

Local business partnerships

80%

Retention rate at month 6

Prioritizing Local Economic Impact

Our Fleet Manager operating model drives local economic impact by creating local business partnerships and increasing spending at businesses for each vehicle on the street.

Our Commitment

- Re-invest in local communities
- Support businesses as they recover
- Provide flexible, self-directed opportunities

Data Dashboard

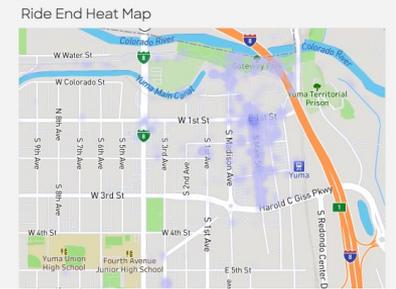
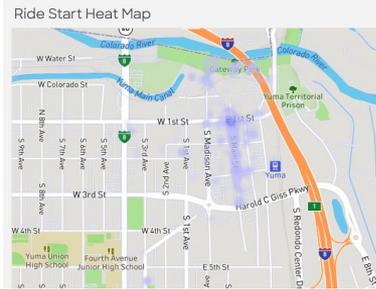
You get access too:

- **Report Summary:**

- Anonymized Rider behaviors such as frequency and length of rides
- Number and length of rides segmented in various dimensions
- Available Birds and number of rides/Bird

- **Map view:** The map will provide a view of the current location of vehicles and nests, with the ability to restrict the view by specific areas

- **Usage heatmaps:** Ride start & end, segmented by various dimensions



Proposal

- ✓ **No Investment Required**
- ✓ **Dedicated Account Manager**
- ✓ **Data Dashboard provided**
- ✓ **# of Vehicles:** 75+ scooters, (means $\frac{2}{3}$ of fleet on street during peak ridership, others charging at FM location)
- ✓ **Specific operation zone**
- ✓ **Launch Date:** 3/2024
- ✓ **Approval Documentation:** Operating Agreement or MOU



Let's Ride

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