

# AGENDA



# CITY OF HOPEWELL

Hopewell, Virginia 23860

## AGENDA

(804) 541-2408  
www.hopewellva.gov  
info@hopewellva.gov  
cityclerk@hopewellva.gov

## CITY COUNCIL

John B. Partin, Jr., Mayor, Ward #3  
Jasmine E. Gore, Vice Mayor, Ward #4  
Rita Joyner, Councilor, Ward #1  
Michael B. Harris, Councilor, Ward #2  
Janice B. Denton, Councilor, Ward #5  
Brenda S. Pelham, Councilor, Ward #6  
Dominic R. Holloway, Sr., Councilor, Ward #7

Dr. Concetta Manker, City Manager  
Danielle Smith, City Attorney  
Brittani Williams, City Clerk  
Bridetta Williams, Deputy Clerk

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January 23, 2024

REGULAR MEETING

Closed Meeting- 6:00 PM  
Work Session – 7:00 PM  
Regular Meeting-7:30pm

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6:00 p.m. Call to order, roll call, and welcome to visitors

### CLOSED MEETING

SUGGESTED MOTION: Move to go into closed meeting pursuant to Va. Code Section § 2.2-3711 (A) (1) to discuss and consider personnel matters, including board and commission appointments; the assignment and performance of specific appointee and employees of City Council, and to the extent such discussion will be aided thereby.

Roll Call

### RECONVENE OPEN MEETING

CERTIFICATION PURSUANT TO VIRGINIA CODE § 2.2-3712 (D): Were only public business matters (1) lawfully exempted from open-meeting requirements and (2) identified in the closed-meeting motion discussed in closed meeting?

### WORK SESSSION

WS-1 – B3 Zoning Amendment – Chris Ward, Director of Development  
WS-2 – 2707 Oaklawn Conditional use permit – Chris Ward, Director of Development  
WS-3 – Proposed Redevelopment for Victoria Landing – Charles Bennett, Economic Development and Tourism Director

### REGULAR MEETING

7:30 p.m. Call to order, roll call, and welcome to visitors

Prayer by Pastor Wyche, followed by the Pledge of Allegiance to the Flag of the United States of

America led by Councilor Pelham.

**SUGGESTED MOTION: To amend/adopt Regular Meeting Agenda Roll Call**

### **CONSENT AGENDA**

*All matters listed under the Consent Agenda are considered routine by Council and will be approved or received by one motion in the form listed. Items may be removed from the Consent Agenda for discussion under the regular agenda at the request of any Councilor.*

- C-1 Minutes:**
- C-2 Pending List: December 14, 2023**
- C-3 Information for Council Review:**
- C-4 Personnel Change Report & Financial Report:**
- C-5 Public Hearing Announcements:**
- C-6 Routine Approval of Work Sessions:**
- C-7 Ordinances on Second & Final Reading:**
- C-8 Routine Grant Approval:**

**SUGGESTED MOTION: To amend/adopt consent agenda**

### **INFORMATION/PRESENTATIONS**

1. New Trash Service Vendor – Kim Hynes, Executive Director, CVWMA
2. Planning Commission Annual Report – Paul Reynolds, Planning Commission Chairman

### **COMMUNICATIONS FROM CITIZENS**

*CITY CLERK: A Communication from Citizens period, limited in total time to 30 minutes, is part of the Order of Business at each regular Council meeting. All persons addressing Council shall approach the microphone, give name and, if they reside in Hopewell, their ward number, and limit comments to three minutes. No one is permitted to speak on any item scheduled for consideration on regular agenda of the meeting. All remarks shall be addressed to the Council as a body, any questions must be asked through the presiding officer. Any person who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in Council Chambers, may be barred by the mayor from further audience before Council and removed, subject to appeal to a majority of Council (See Rules 405 and 406)*

### **PUBLIC HEARING**

**CITY CLERK:** *All persons addressing Council shall step to the microphone, give name and **If** they*

*council more than once per meeting, unless granted permission by the presiding officer. Speakers address council as a body, not individual councilors. Questions are asked of councilors and staff through the presiding officer. Any person who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in the council chamber may be reprimanded by the presiding officer, and removed from the meeting upon a majority vote of councilors present, excluding any councilor who is the subject of the motion. (See Rules 405 and 406)*

**PH1** – Modifications to Development Standards – Chris Ward, Director of Development

**UNFINISHED BUSINESS**

**UB-1 - Reports of City Clerk:** Adoption of FY24 Council Meeting Schedule

**REGULAR BUSINESS**

**R-1** – Standard Operating Procedures Presentation – Heather Ness, Robert Bobb Group

**R-2** – Councilor Rules – Danielle Smith, City Attorney

**Reports of City Manager:**

**Reports of City Attorney:**

**Reports of City Clerk:** Adoption of FY24 Council Meeting Schedule

**Councilors Pending Request**

**Councilor Requests:**

**Presentations from Boards and Commission**

**Other Council Communications**

**BOARD/COMMISSION VACANCIES**

Hopewell Economic Development Authority: 1 Vacancy

Planning Commission: 1 Vacancy

Architectural Review Board – 3 Vacancies

Downtown Design Review – 2 Vacancies

Board of Building Code and Fire Prevention Code Appeals – 5 Vacancies

Keep Hopewell Beautiful – 1 Vacancy

Recreation and Parks – 4 Vacancies

Library Board – 2 Vacancies

**Adjournment**



**CLOSED  
MEETING**

# RECONVENE OPEN MEETING

# WORK SESSION

WS-1



The City  
of  
Hopewell, Virginia

Application #: 2023 1639

Permit #: \_\_\_\_\_

CHECK: 25099  
Transaction Amount: 600.00  
Payment Amount: 300.00

300 N. Main Street • Department of Development • (804) 541-2220 • Fax: (804) 541-2318

ZONING ORDINANCE AMENDMENT - REVIEW  
023232-0003 debra me... 10/30/2023 10:40AM  
Permits / Inspect... - 20231039ZOA - 2023

### ZONING ORDINANCE AMENDMENT APPLICATION

Application fee: \$300

The Hopewell Planning Commission meets the 1<sup>st</sup> Thursday of each month. The deadline for submittal of a Hopewell Zoning Ordinance Amendment application is shown in the attached Planning Commission calendar. This amendment application, the fee, any supporting documentation and any other information deemed pertinent or necessary by the Zoning Administrator for the Planning Commission to make their decision are required to be submitted jointly. If any of these items are not included, it is considered an incomplete application and will not be accepted.

I (we) the undersigned do hereby respectfully petition and make application to the Hopewell City Council to amend the City of Hopewell Zoning Ordinance text as hereinafter requested, and in support of this application, the following facts are shown.

APPLICANT: Haron Izhour

ADDRESS: 3600 Galena Ave  
Hopewell, VA 23860

PHONE #: 804-503-3077 FAX #: \_\_\_\_\_

EMAIL: haronizhour@yahoo.com

\*\*\*\*\*

1) I (WE) WISH TO PROPOSE THAT THE FOLLOWING SECTION(S) OF THE HOPEWELL ZONING ORDINANCE BE AMENDED.

X1.A Highway Commercial District (B-3) use  
regulations

2) I (WE) WISH TO PROPOSE THAT THE TEXT BE REVISED TO ACCOMPLISH THE FOLLOWING PURPOSES (S) AND/OR TO READ AS FOLLOWS: (ATTACH ADDITIONAL SHEETS IF NECESSARY)

Allow single family dwellings

3) PLEASE DEMONSTRATE HOW THE AMENDMENT WILL BE IN HARMONY WITH THE PURPOSE OF THE SPECIFIC DISTRICT IT WHICH IT WILL BE ADDED.

To allow for residential purpose / use.

4) PLEASE GIVE THE REASON FOR FILING THE PROPOSED ZONING ORDINANCE AMENDMENT.

I purchased this home under the understanding it can be resided in. The building is designed to be residential and there is no parking lot available for it to be used as commercial. It has never been used to

AS OWNER OF PROPERTY IN THE CITY OF HOPEWELL OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE. <sup>commercial purposes since it was built.</sup>

  
APPLICANT(S) SIGNATURE

10/30/23  
DATE

Haron Izhour  
APPLICANT(S) PRINTED NAME

OFFICIAL USE ONLY

Parcel #0430360

B3 W6

DATE RECEIVED: 10-30-23

DATE OF FINAL ACTION: \_\_\_\_\_

ACTION TAKEN:

\_\_\_\_\_ APPROVED \_\_\_\_\_ DENIED

\_\_\_\_\_ APPROVED WITH THE FOLLOWING CONDITIONS:

\_\_\_\_\_  
\_\_\_\_\_





**Zoning Ordinance Amendment  
Article XI, Highway Commercial District  
(B-3)  
Section A. Use Regulations  
Adding 'Single-Family Dwelling with  
Conditional Use Permit approval'  
Applicant: Haron Izhour**

*Staff Report prepared for the Hopewell Planning Commission  
December 7, 2023 meeting*

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

**I. TENTATIVE MEETING SCHEDULE:**

Planning Commission	December 7, 2023	Public Hearing
City Council	January 9, 2024	Work Session
City Council	February 13, 2024	Public Hearing

**II. PUBLIC NOTIFICATION**

Legal ads ran in the Progress-Index on November 24, 2023 and December 1, 2023 for the Planning Commission public hearing. Adjacent property owners were notified via mailed letter sent on November 27, 2023.

**III. IDENTIFICATION AND LOCATIONAL INFORMATION:**

Requested Zoning:	No Change Requested
Existing Zoning:	B-3, Highway Commercial District
Election Ward:	Ward 6
Land Use Plan Recommendation:	Corridor Commercial

**IV. EXECUTIVE SUMMARY:**

The City has received a request from Haron Izhour, property owner, to amend Article XI-Highway Commercial District (B-3) of the Hopewell Zoning Ordinance to add 'Single-Family Dwelling, with Conditional Use Permit' as an allowable use in the B-3 District.



The applicant states that he purchased a property within the B-3 Zoning District with the understanding from the seller that residential use was allowable. The property was originally constructed as a dwelling but was vacant for more than two years and therefore lost its nonconforming status. He continues that the property was never used a commercial property. Finally, the applicant argues that compliance with the parking regulations is not possible with this property if he was convert it to commercial use.

**V. APPLICANT'S REQUEST:**

Mr. Izhour seeks to add 'Single-Family Dwelling with a Conditional Use Permit' as an allowable use under Section A of Article XI-Highway Commercial District (B-3). This application is being processed concurrently with a Conditional Use Permit request for a Single Family Dwelling use at 2707 Oaklawn Blvd.

**VI. RELEVANT ZONING ORDINANCE LANGUAGE:**

Staff provides the following relevant references to zoning district amendments.

**Article XXI, Amendments, Section B**

1. No zoning ordinance shall be adopted, amended, or re-enacted unless City Council has referred the proposal to the Planning Commission for its recommendation. The commission shall hold at least one (1) public hearing on such proposed amendment, after notice as required by Section 15.1-431 of the Code of Virginia (1950), as amended. Following the hearing, the Planning Commission shall prepare and by motion adopt its recommendations, which may include changes in the original proposal resulting from the hearing, and shall transmit such recommendations, together with any explanatory matter, to the City Council.
2. In recommending the adoption of any amendment to this ordinance, the Planning Commission shall fully state its reasons for any such recommendations, describing any change in conditions, if any, that it believes makes the amendment advisable and specifically setting forth the manner in which, in its opinion, the amendment would be in harmony with the comprehensive plan of the city and would be in furtherance of the purpose of this ordinance.

Staff also provides the following language, also from Article XXI, Amendments.

***E. Not Provided For:***

1. If, in any district established under this ordinance, a use is not specifically permitted and an application is made by a property owner to the administrator for such use, the administrator shall refer the application to the planning commission. The planning commission shall make its recommendations to the governing body within sixty (60) days as to whether (a) to amend the ordinance to allow the unrestricted use in that district, (b) to amend the ordinance to allow the use with a

conditional use permit, (c) to amend the ordinance by rezoning the district and thereby allow the use, or (d) to deny the use in that district. The planning commission may hold a separate public hearing or a joint public hearing, as provided by law, with the governing body.

2. If, after sixty (60) days, after the first meeting of the planning commission, no public hearing has been set or no recommendation has been made, the governing body may assume that the Planning Commission concurs with the applicant.

## **VII. 2028 COMPREHENSIVE PLAN ANALYSIS:**

The Hopewell Comprehensive Plan offers guidance regarding uses in the future land use category of 'Corridor Commercial.' On page 105, the Plan states:

**"The Corridor Commercial category is applied to expanded segments of the Route 36/156 corridor where community shopping demands could be better accommodated. This area envelops the mostly vacant Cavalier Square, an excellent location for mixed-use with direct neighborhood access. Included in this category are lots that lack depth. Unfortunately, property owners will not be able to upgrade and market existing underperforming and marginally maintained businesses. Current planning does not anticipate the minimum depth of corridor lots for contemporary free-standing retail and service uses that require independent parking and loading improvements."**

The Comprehensive Plan recognizes the challenges that small parcel property owners face along this corridor, especially those properties that were constructed as residential dwellings. These properties must undergo significant changes to conform to commercial use requirements under the zoning ordinance to include ADA-compliant ingress/egress, bathrooms and doorways, vegetative buffers to adjacent residential districts, and off-street parking. The off-street parking requirement in particular presents the largest challenge since many of these small properties do not have enough space to comply.

The other option for property owners is to demolish the formerly residential structure in preparation for new commercial construction. Unfortunately, the same challenges exist under this scenario as well – not enough land area to comply with parking and vegetative buffer requirements and parcels that are too small to accommodate modern commercial uses.

## **VIII. ADDITIONAL STAFF ANALYSIS:**

When reviewing a request for an amendment to the Zoning Ordinance, Staff must determine if the use is compatible with the current zoning district and how it aligns with the Future Land Use Map. Although the impetus for the request to amend the Zoning Ordinance is to allow the use for a particular property, the decision to allow or disallow a use effects all parcels within the entire zoning district.

Single-Family Dwelling with a Conditional Use Permit is an allowable use in the adjoining Corridor Development District (B-4) that extends along Oaklawn Boulevard eastward towards the I-295 interchange.

Staff research has determined that Single-Family Dwelling has not been an allowable, by-right use in the B-3 since at least 1994. Of the 180 parcels in the B-3 District containing a structure, 57 parcels (31.67%) are currently used as single-family dwellings and, therefore, non-conforming to the current ordinance. In other words, nearly a third of the properties in the B-3 district remain non-conforming and have failed to convert to commercial use in at least 30 years.

#### **IX. STAFF RECOMMENDATION:**

Staff recommends approval of the addition of the 'Single-Family Dwelling with Conditional Use Permit approval' to Section A – Allowable Uses of Article XI – Highway Commercial District (B-3) for the following reasons:

- The Comprehensive Plan recognizes the unique challenges that some property owners face in the B-3 District with converting formally residential structures to commercial use with particular difficulty achieving compliance with off-street parking requirements and other development standards.
- Properties originally constructed for single-family dwelling use are not easily converted to commercial use. For most uses, modern commercial design is incompatible with this type of conversion and would require demolition of the existing structure and replacement with a new structure that meets today's standards.
- The demand for housing in Hopewell far exceeds the demand for commercial space as suggested by the number of building permit applications.
- A 'sunset' provision can be set as a condition of approval requiring the applicant to re-apply for a Conditional Use Permit after a certain amount of time or other circumstance. This sunset provision will allow City Council to reconsider the use if market trends start to favor commercial development over residential use.
- Until such time as the zoning ordinance can properly address the challenges with converting formally residential properties into commercial uses, the City risks having a preponderance of vacant structures along high-profile corridors.

#### **VIII. OPTIONS FOR PROPOSED RECOMMENDATION:**

The Hopewell Planning Commission recommends:

(1) to amend Article XI – Highway Commercial District (B-3) to add 'Single-Family Dwelling with Conditional Use Permit approval.'

(2) deny the request to add 'Single-Family Dwelling with Conditional Use Permit approval' to the B-3 zoning district.

**ZONING AMENDMENT REQUEST**  
to add 'Single Family Dwelling with CUP'  
to B-3 District

CITY COUNCIL WORK SESSION

January 23, 2024

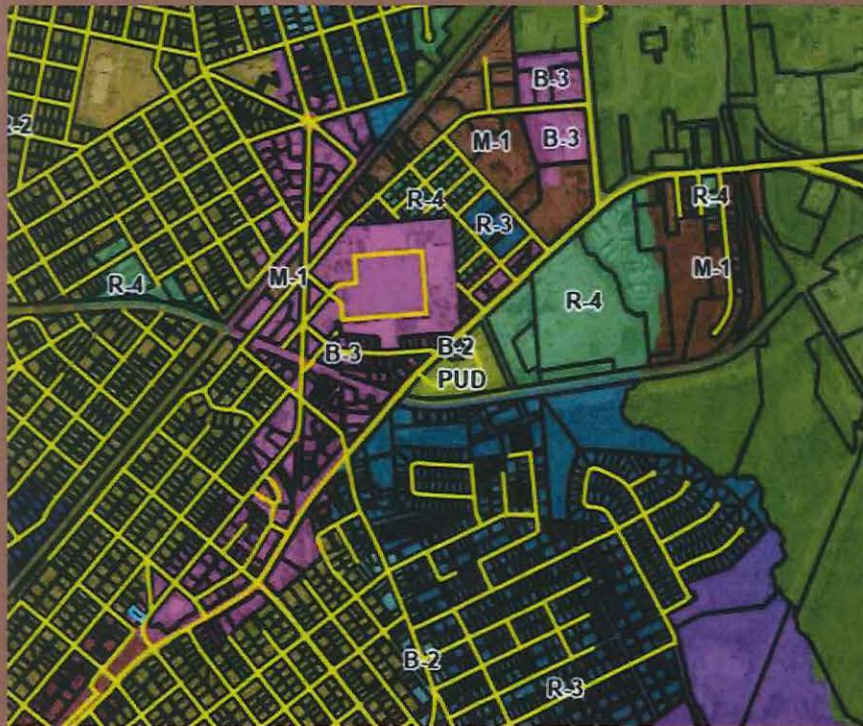


## ZOA REQUEST: Single-Family Dwelling with Conditional Use Permit approval

- APPLICANT: Haron Izhour
- WARDS: 6 & 2
- CURRENT ZONING: B-3 does not allow Single-Family Dwelling
- REQUEST: Add 'Single-Family Dwelling with Conditional Use Permit'
- PUBLIC NOTICE: Ads in Progress-Index

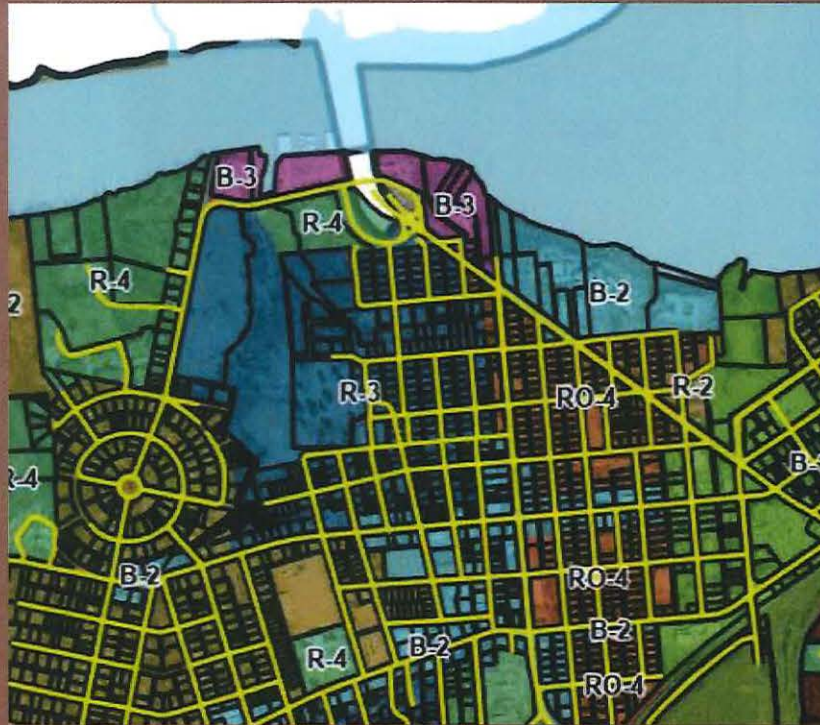


# ZOA REQUEST: Single-Family Dwelling with Conditional Use Permit approval





# ZOA REQUEST: Single-Family Dwelling with Conditional Use Permit approval





# Staff Analysis

- Comprehensive Plan recognizes the challenges with residential-to-commercial conversion.
- Single-Family Dwelling has not been permitted in B-3 since at least the 1990s.
  - Anticipated that residential uses would transition to commercial uses over time.
  - Nearly a third of properties zoned B-3 remain Single-Family use - non-conforming.
- Lot sizes are not amenable to modern commercial construction or zoning requirements for commercial use.
- Until such time as the Zoning Ordinance can properly address these properties, the City risks a preponderance of vacant structure lining the commercial corridor.
- In the meantime, the City can retain some control if market conditions change.

## Staff Recommendation

Staff recommends adding 'Single-Family Dwelling with Conditional Use Permit approval' to Section A of Article XI: B-3 Highway Commercial District as an allowable use.



# Planning Commission Recommendation

Planning Commission recommended approval with a 3-1 vote.

WS-2



The City  
of  
Hopewell, Virginia

Application # 20231040

Permit #: \_\_\_\_\_

300 N. Main Street · Department of Development · (804) 541-2220 · Fax: (804) 541-2318

CONDITIONAL USE PERMIT APPLICATION

APPLICATION FEE: \$300

APPLICATION #

APPLICANT: Haron Izhour

ADDRESS: 3600 Galena Ave

Hopewell, VA 23860

PHONE #: 804-503-3077 FAX #: \_\_\_\_\_

EMAIL ADDRESS: haronizhour@yahoo.com

INTEREST IN PROPERTY:  OWNER OR \_\_\_\_\_ AGENT  
IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER  
OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.

OWNER: Haron Izhour

ADDRESS: Same as above

PHONE #: \_\_\_\_\_ FAX #: \_\_\_\_\_

PROPERTY ADDRESS / LOCATION:  
2707 Oaklawn Blvd.

PARCEL #: 0430360 ACREAGE: 0.14 ZONING: B3

\*\*\* IF REQUIRED BY ARTICLE 16 OF THE ZONING ORDINANCE, \*\*\*  
A SITE PLAN MUST ACCOMPANY THIS APPLICATION

- ATTACH A SCALED DRAWING OR PLAT OF THE PROPERTY SHOWING:
1. FLOOR PLANS OF THE PROPOSED BUILDINGS. \_\_\_\_\_
  2. THE PROPOSED DEVELOPMENT WITH FRONT, SIDE, AND REAR ELEVATIONS. \_\_\_\_\_

THIS REQUEST FOR A CONDITIONAL USE PERMIT IS FILED UNDER SECTION \_\_\_\_\_ OF THE ZONING ORDINANCE.

PRESENT USE OF PROPERTY:

Vacant, previously rented

THE CONDITIONAL USE PERMIT WILL ALLOW:

Single family dwelling

PLEASE DEMONSTRATE THAT THE PROPOSAL AS SUBMITTED OR MODIFIED WILL NOT AFFECT ADVERSELY THE HEALTH, SAFETY, OR WELFARE OF PERSONS RESIDING OR WORKING IN THE NEIGHBORHOOD OF THE PROPOSED USE.

Will only be used for residential purposes.

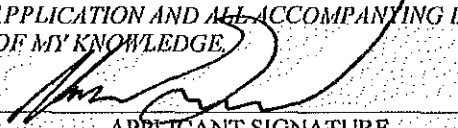
PLEASE DEMONSTRATE THAT THE PROPOSAL WILL NOT BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO THE PROPERTY OR IMPROVEMENTS IN THE NEIGHBORHOOD.

Will only be used for residential purposes.

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

In an area that includes residential dwellings.

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



APPLICANT SIGNATURE

10/30/23

DATE

Haron Izhour  
APPLICANT PRINTED NAME

OFFICE USE ONLY

DATE RECEIVED \_\_\_\_\_

DATE OF ACTION \_\_\_\_\_

\_\_\_\_\_ APPROVED \_\_\_\_\_ DENIED

\_\_\_\_\_ APPROVED WITH THE FOLLOWING CONDITIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





The City  
of  
Hopewell, Virginia

Application # 20231040

Permit #: \_\_\_\_\_

300 N. Main Street • Department of Development • (804) 541-2220 • Fax: (804) 541-2318

CONDITIONAL USE PERMIT APPLICATION

APPLICATION FEE: \$300

APPLICATION #

APPLICANT: Haron Izhour

ADDRESS: 3600 Galena Ave  
Hopewell, VA 23860

PHONE #: 804-503-3077 FAX #: \_\_\_\_\_

EMAIL ADDRESS: haronizhour@yahoo.com

INTEREST IN PROPERTY:  OWNER OR \_\_\_\_\_ AGENT  
*IF CONTRACT PURCHASER, PROVIDE A COPY OF THE CONTRACT OR A LETTER OF THE PROPERTY OWNER'S CONSENT TO MAKE APPLICATION.*

OWNER: Haron Izhour

ADDRESS: Same as above

PHONE #: \_\_\_\_\_ FAX #: \_\_\_\_\_

PROPERTY ADDRESS / LOCATION:  
2707 Oaklawn Blvd.

PARCEL #: 0430360 ACREAGE: 0.14 ZONING: B3

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A SITE PLAN MUST ACCOMPANY THIS APPLICATION

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1. FLOOR PLANS OF THE PROPOSED BUILDINGS. \_\_\_\_\_

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PRESENT USE OF PROPERTY:

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Will only be used for residential purposes.

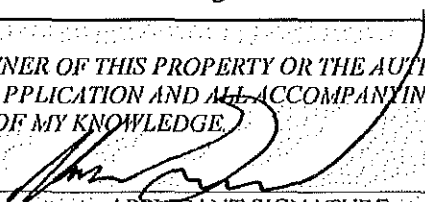
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Will only be used for residential purposes.

PLEASE DEMONSTRATE HOW THE PROPOSAL AS SUBMITTED OR MODIFIED WILL CONFORM TO THE COMPREHENSIVE PLAN AND THE PURPOSES AND THE EXPRESSED INTENT OF THE ZONING ORDINANCE.

In an area that includes residential dwellings.

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFOR, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.



APPLICANT SIGNATURE

10/30/23

DATE

Haron Izhour

APPLICANT PRINTED NAME

OFFICE USE ONLY

DATE RECEIVED \_\_\_\_\_

DATE OF ACTION \_\_\_\_\_

\_\_\_\_\_ APPROVED \_\_\_\_\_ DENIED

\_\_\_\_\_ APPROVED WITH THE FOLLOWING CONDITIONS:

\_\_\_\_\_  
\_\_\_\_\_



**2707 Oaklawn Blvd. – Parcel #043-0360**  
**Owner: Haron Izhour**  
**Conditional Use Permit for Single-Family Dwelling Use**

Staff Report prepared for the Planning Commission Regular Meeting  
 December 7, 2023

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

**I. TENTATIVE SCHEDULE OF MEETINGS:**

Planning Commission Public Hearing	December 7, 2023	Reccomended with Condition	Approval
City Council Work Session	January 9, 2024	N/A	
City Council Public Hearing	February 13, 2024	Pending	

**II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

Requested Zoning:	N/A
Existing Zoning:	B-3, Highway Commercial District
Acreage:	0.138 acres / 6,000± square feet
Legal Description:	LOTS 13-14 BLK I SUBDIVISION; HIGH POINT
Election Ward:	Ward 6
Land Use Plan Recommendation:	Corridor Commercial
Strategic Plan Goal:	Housing
Map Location(s):	Parcel #043-0360
Zoning of Surrounding Property:	North: R-2 South: B-3 East: B-3 West: R-2
Public Notification:	November 24 & December 1, 2023
Adjacent Property Owners:	November 27, 2023

### III. EXECUTIVE SUMMARY:

The City of Hopewell has received a request for a Conditional Use Permit from Haron Izhour to allow Single-Family Dwelling use 2707 Oaklawn Blvd., also identified as Parcel #043-0360.

### IV. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this request for a Conditional Use Permit are the following:

*Article XI: Highway Commercial District, Section A. Use Regulations*

Structures to be erected and land to be used shall be only for the following uses:

66. Single family dwellings, with a Conditional Use Permit issued by City Council, with all area, lot width, and setback requirements set on a case-by-case by Council in the permit.

*Article XVIII, General Provisions, Section G, Conditional and Special Use Permits, Sub-Section c. 1-3:*

1. When the Director has certified that the application is complete, it shall be deemed received and referred to the Planning Commission for its review and recommendation to City Council.
2. The Planning Commission shall, within ninety (90) days after the first meeting of the Planning Commission after such referral, report to the City Council its recommendation as to the approval or disapproval of such application and any recommendation for establishment of conditions, in addition to those set forth in this Article, deemed necessary to protect the public interest and welfare. Failure of the Planning Commission to report within ninety (90) days shall be deemed a recommendation of approval.
3. Upon receipt of the recommendation of the Planning Commission, the City Council, after public notice in accordance with Virginia Code § 15.2-2204, shall hold at least one public hearing on such application, and as a result thereof, shall either approve or deny the request.

*Article XVIII, General Provisions, Section G, Sub-Section c.4.*

4. In approving any conditional use permit, the City Council may impose conditions or limitations on any approval as it may deem necessary to protect the public interest and welfare. Such additional standards may include, but need not be limited to:
  - i. Special setbacks, yard or construction requirements, increased screening or landscaping requirements, area requirements, development phasing, and standards pertaining to traffic,

circulation, noise, lighting, hours of operation and similar characteristics; and

- ii. A performance guarantee, acceptable in form, content and amount to the City, posted by the applicant to ensure continued compliance with all conditions and requirements as may be specified.

*Article XVIII, General Provisions, Section G, Sub-Section d.*

d. Approval Criteria

As may be specified within each zoning district, uses permitted subject to conditional use review criteria shall be permitted only after review by the Planning Commission and approval by the City Council only if the applicant demonstrates that:

1. The proposed conditional use is in compliance with all regulations of the applicable zoning district, the provisions of this Article, and any applicable General Provisions as set forth in the Zoning Ordinance.
2. The establishment, maintenance, or operation of the proposed use is not detrimental to, and will not endanger, the public health, safety, morals, comfort, or general welfare.
3. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially impair the use of other property within the immediate proximity.
4. The proposed conditional use conforms to the character of the neighborhood within the same zoning district in which it is located. The proposal as submitted or modified shall have no more adverse effects on health, safety or comfort of persons living or working in or driving through the neighborhood, and shall be no more injurious to property or improvements in the neighborhood, than would any other use generally permitted in the same district. In making such a determination, consideration shall be given to the location, type, size, and height of buildings or structures, type and extent of landscaping and screening on the site, and whether the proposed use is consistent with any theme, action, policy or map of the Comprehensive Plan.
5. The exterior architectural appeal and function plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood or the character of the applicable zoning district, and shall enhance the quality of the neighborhood.

6. The public interest and welfare supporting the proposed conditional use is sufficient to outweigh the individual interests which are adversely affected by the establishment of the proposed use.
7. The proposed use will not result in the destruction, loss or damage of any feature determined to be of significant ecological, scenic or historic importance.

#### V. SUBJECT PROPERTY:

The property is located in the southeastern corner of the B-3, Highway Commercial, Zoning District near the intersection of Oaklawn Blvd. and Winston Churchill Dr. The property has 50 feet of frontage along Oaklawn Blvd. and is 120 feet deep for a total size of 6,000 square feet. An application to add 'Single-Family Dwelling Use, with Conditional Use Permit approval' to the B-3 District is being considered concurrently with this CUP application and approval of this CUP application is contingent upon the addition of this use.

#### VI. APPLICANT'S POSITION:

The applicant seeks to allow the use of the property as a Single-Family Dwelling. The property has been vacant for a number of years while being marketed for commercial use yet can be occupied immediately for residential use.

#### VII. ZONING/STAFF ANALYSIS:

When considering a conditional use permit, the Planning Commission must consider the seven conditions outlined in Article XXI of the Zoning Ordinance. The Planning Commission may also impose conditions that are suitable to ensure the character of the neighborhood and zoning district in which the use is locating will not be adversely affected.

The Hopewell Comprehensive Plan offers guidance regarding uses in the future land use category of 'Corridor Commercial.' On page 105, the Plan states:

**"The Corridor Commercial category is applied to expanded segments of the Route 36/156 corridor where community shopping demands could be better accommodated. This area envelops the mostly vacant Cavalier Square, an excellent location for mixed-use with direct neighborhood access. **Included in this category are lots that lack depth. Unfortunately, property owners will not be able to upgrade and market existing underperforming and marginally maintained businesses. Current planning does not anticipate the minimum depth of corridor lots for contemporary free-standing retail and service uses that require independent parking and loading improvements.**"**



The Comprehensive Plan recognizes the challenges that small parcel property owners face along this corridor, especially those properties that were constructed as residential dwellings. These properties must undergo significant changes to conform to commercial use requirements under the zoning ordinance to include ADA-compliant ingress/egress, bathrooms and doorways and off-street parking. The off-street parking requirement in particular presents the largest challenge since many of these small properties do not have enough land area to comply.

The other option for property owners is to demolish the formerly residential structure in preparation for new commercial construction. Unfortunately, the same challenges exist under this scenario as well – not enough space to comply with zoning development standards, including parking requirements and buffers to adjacent residential zoning districts, and parcels that are too small to accommodate modern commercial uses.

**Aerial Map of 2707 Oaklawn Blvd. – Parcel #043-0360**



Staff research has determined that Single-Family Dwelling has not been an allowable, by-right use in the B-3 since at least 1994. Of the 180 parcels in the B-3 District containing a structure, 57 parcels (31.67%) are currently used as single-family dwellings and, therefore, non-conforming to the current ordinance. In other words, nearly a third of the properties in the B-3 district remain non-conforming and have failed to convert to commercial use in at least 30 years.



**Zoning Map – 2707 Oaklawn Blvd. – Parcel #043-0360**



The Future Land Use Plan (FLUP) supports the transition of these properties along Oaklawn Boulevard from a residential use to a commercial use by labeling these properties under the Corridor Commercial designation, yet the FLUP recognizes the difficulty of certain properties to convert to a commercial use because they are undersized, lack proper means of access, or cannot comply with parking requirements.

**VIII. STAFF RECOMMENDATION:**

Staff recognizes the challenges associated with properties that were constructed for one use to transition to a different use. In the case of 2707 Oaklawn, the property owner claims that this property has been marketed for commercial use for several years but never secured a tenant. Staff recognizes the following challenges with this property for converting to commercial use:

- The conversion of this property from residential construction to commercial use is desirable and functional for a very small number of commercial uses.
- A major hinderance to the conversion of B-3 parcels from residential to commercial use is the shallow depth of the parcels. Modern commercial construction would require the acquisition of parcels behind those fronting Oaklawn Blvd.; however, those parcels are zoned R-2 and commercial use is not permitted. Until zoning districts can be amended, the current zoning ordinance actually promotes vacancy over occupied structures.
- The location of this property within 50 feet of an angled intersection (Oaklawn Blvd. and Short St.) presents a challenge for access to required off-street parking.



- Off-street and on-street parking are not possible on Parcel #043-0360.
- The City can retain some control over the use of this property by including a condition requiring re-approval.

### **2707 Oaklawn Boulevard**



The Comprehensive Plan specifically notes that this commercial corridor has unique challenges. The conversion to commercial uses will take time as noted earlier in this report. Staff believes that the residential use meets the Conditional Use Permit criteria given current site constraints and market conditions. Approving the application with a limited duration will allow the Planning Commission and City Council to reevaluate the appropriateness of the use in the future and consider any changes in market or site conditions at that time.

For these reasons, Staff recommends the approval of this application with the following condition:

- The Single-Family Dwelling use shall be permitted for a duration not to exceed five (5) years from the date of approval. The property owner may re-apply to continue the Single-Family Dwelling use within five (5) years of approval.

### **IX. PLANNING COMMISSION RECOMMENDATION**

The Planning Commission recommends the *approval*/denial of the request submitted by Haron Izhour to allow a Single-Family Dwelling use at 2707 Oaklawn Boulevard with the following condition(s):

- The Single-Family Dwelling use shall be permitted for a duration not to exceed five (5) years from the date of approval. The property owner may re-apply to continue the Single-Family Dwelling use within five (5) years of approval.

- \_\_\_\_\_
- \_\_\_\_\_

**CONDITIONAL USE PERMIT REQUEST**  
Single-Family Dwelling  
2707 Oaklawn Blvd.

CITY COUNCIL WORK SESSION

January 23, 2024

## CUP REQUEST: Single-Family Dwelling at 2707 Oaklawn

- APPLICANT: Haron Izhour
- WARD: 6
- CURRENT ZONING: B-3, SF Dwelling use is under consideration
- REQUEST: Approve CUP request
- PUBLIC NOTICE: Ads in Progress-Index, letters to adjacent property owners



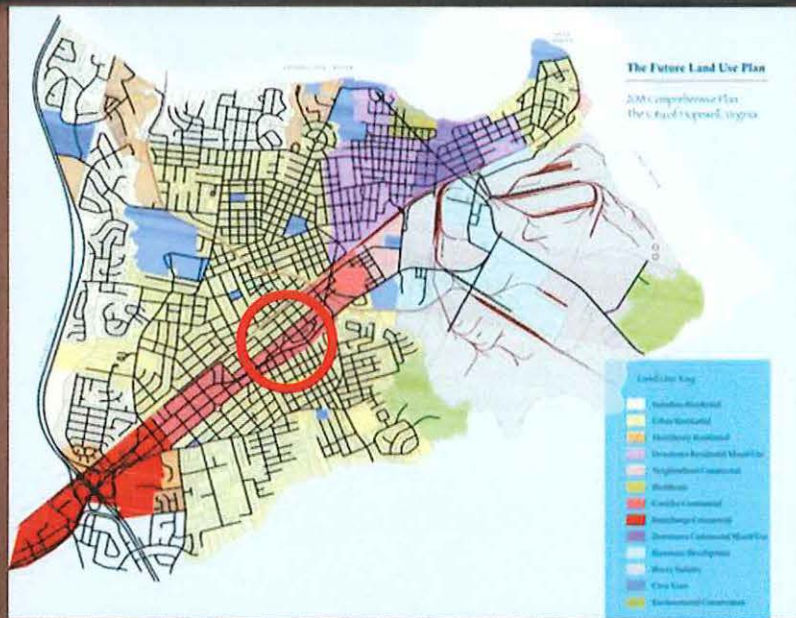


# CUP REQUEST: Single-Family Dwelling at 2707 Oaklawn



# CUP REQUEST: Single-Family Dwelling at 2707 Oaklawn

FUTURE LAND USE  
Corridor Commercial





## CUP REQUEST: Single-Family Dwelling at 2707 Oaklawn

Hopewell Comprehensive Plan (page 105):

Included in this <Corridor Commercial> category are lots that lack depth. Unfortunately, property owners will not be able to upgrade and market existing underperforming and marginally maintained businesses. Current planning does not anticipate the minimum depth of corridor lots for contemporary free-standing retail and service uses that require independent parking and loading improvements.”



## Staff Analysis

- Comprehensive Plan recognizes the challenges with residential-to-commercial conversion.
- Single-Family Dwelling has not been permitted in B-3 since at least the 1990s.
  - Anticipated that residential uses would transition to commercial uses over time.
  - Nearly a third of properties zoned B-3 remain Single-Family use - non-conforming.
- Lot sizes are not amenable to modern commercial construction or zoning requirements for commercial use.
- Until such time as the Zoning Ordinance can properly address these properties, the City risks a preponderance of vacant structure lining the commercial corridor.
- In the meantime, the City can retain some control if market conditions change.

## Staff Recommendation

Staff recommends approval of the CUP with the following conditions:

1. Property must re-apply for Single-Family Use after 5 years.

## Planning Commission Recommendation

Planning Commission recommended approval with a 3-1 vote.

WS-3





City of Hopewell  
Economic Development  
and Tourism  
Victoria Landing PUD  
January 23<sup>rd</sup> 2024





# Proposed PUD Victoria Landing

- Site 12 acres formerly known as the Bluffs.
- Located at 600 Victoria Street.
- City Purchased Property in 2007 for redevelopment
- 12 +/- Acres total, 5 +/- acres buildable
- Design References: 2018 Comp Plan, FOLAR Appomattox River Trail Master Plan, Urban Land Institute Technical Assistance Panel

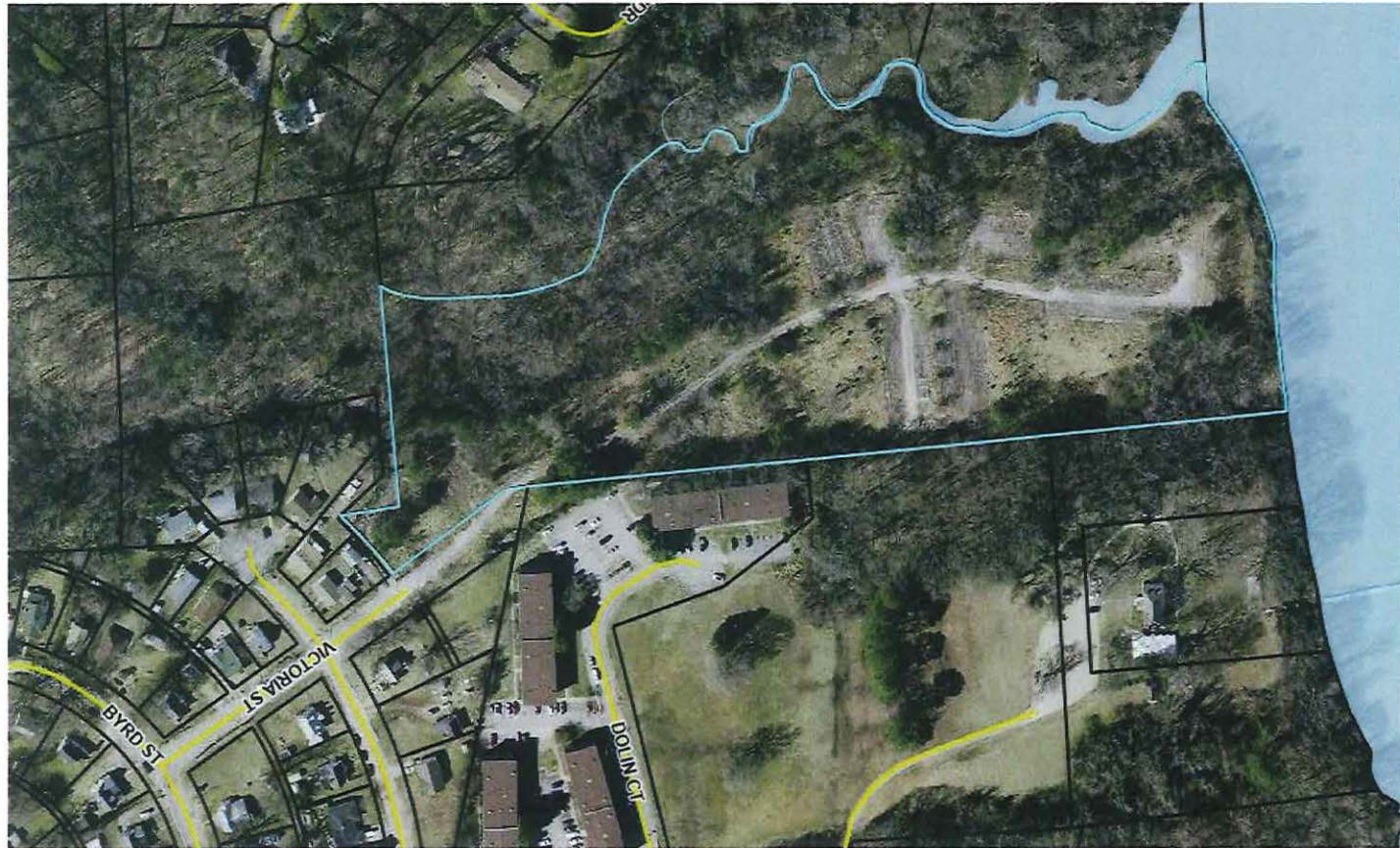


# 1948 Ariel of the Property





# Modern Day Ariel of Property



# 2018 Comprehensive Plan



A Vision for The Bluffs Village

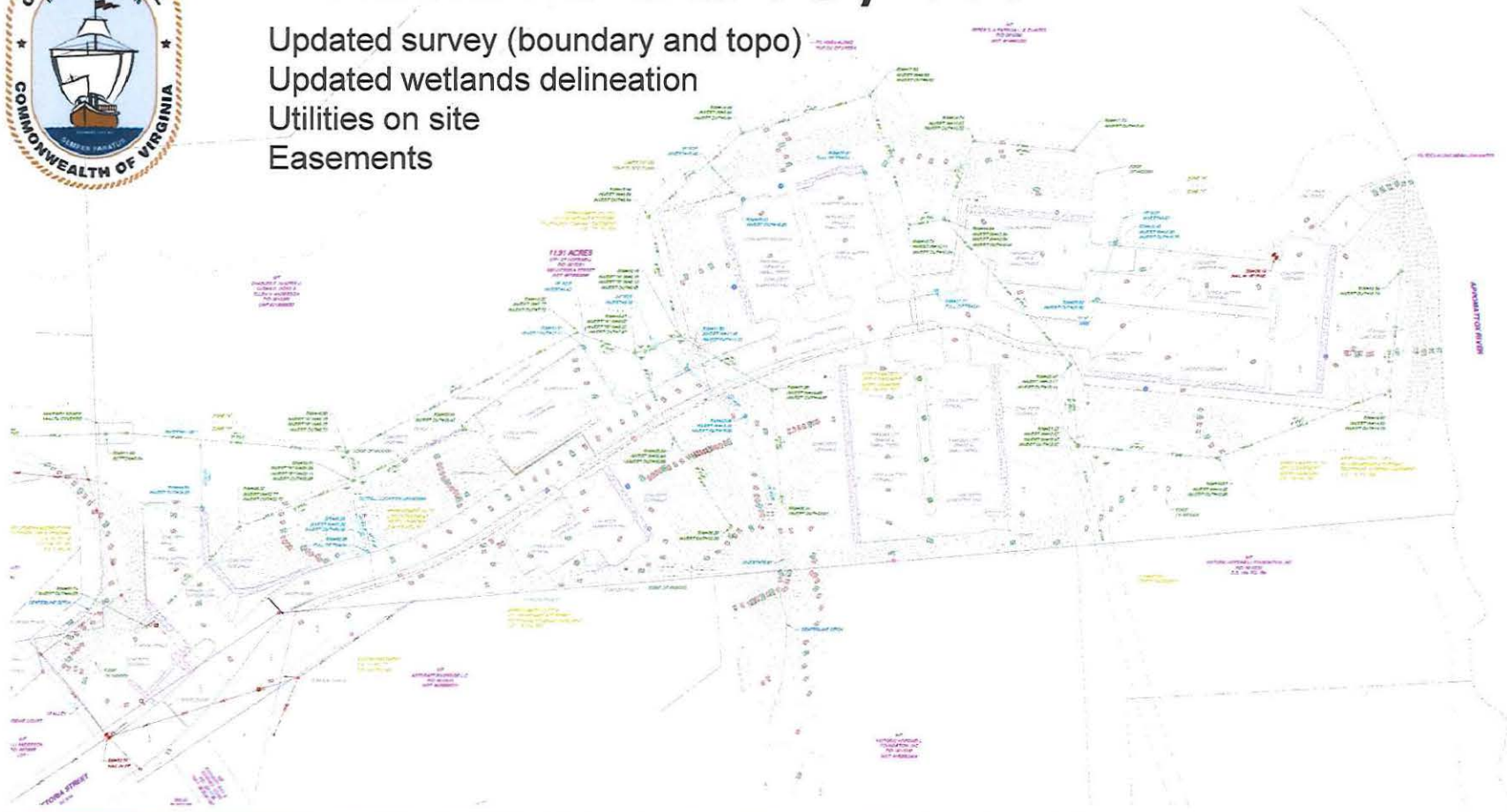
*The Bluffs property should be reserved for a master planned attached residential project that seeks to maximize river views for each dwelling. The above photo-imaging concept depicts approximately 85 two-to-three story townhouse units, anchored by a private pool and boat dock.*





# Timmons Survey Work

- Updated survey (boundary and topo)
- Updated wetlands delineation
- Utilities on site
- Easements



# Proposed Victoria Landing PUD





# Proposed Victoria Landing PUD

## Victoria Landing Subdivision Concept Notes:

(General all road names on this plan besides Victoria Street are for reference only and not an indication of the actual names to be used for subdivision)

1. All new roads proposed provide 50' right of way and include bike lane and on street parking.
2. Subdivision is accessible by two means, Reynolds St & Victoria Street.
3. Gomes Court proposed meets requirement D103.4 for Dead-End Fire Apparatus Access Road.
4. Development will have greater than 50% open space and include recreational amenities.
5. Development will include public access to water via defined trail/path from public right of way.
6. Development utility providers: Hopewell Water Renewal, Dominion Energy, Virginia American Water Co.
7. All lot shown are for "Town Homes" and measure 20' wide by 85' deep. Units with road frontage and rear may planned for rear vehicle drive way and garage.
8. Areas noted on plan as BMP are planned for storm water management for both quantity and quality. Developer may chose to purchase nutrient credits as allowable.
9. Sidewalks, Streets Lighting will be installed in accordance to subdivision ordinance.





# Proposed Victoria Landing PUD

Proposed development  
townhomes and common areas



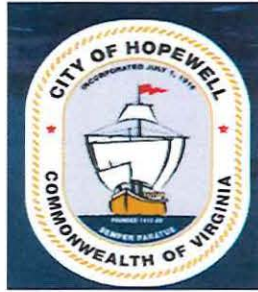
Examples of both 2 story and 3 story townhomes for development



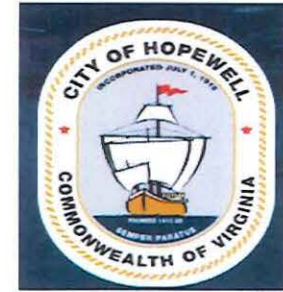
# REGULAR MEETING

CONSENT  
AGENDA

**C-2**



CITY OF HOPEWELL  
COUNCILOR PENDING LIST



**REQUEST**  
Delinquent Funds  
Housing Commission  
Poet Lareate  
Beacon Theater LLC  
Crisis Support  
City Human Resource Policy  
Business License Policy  
City Credit Card Policy  
RFP For Financial Services

**REQUESTOR**  
Jasmine Gore  
Jasmine Gore  
Brenda Pelham & Jasmine Gore  
Jasmine Gore  
Jasmine Gore  
Brenda Pelham  
Jasmine Gore  
Brenda Pelham  
Councilor Joyner

**DATE**  
12/14/2023  
12/14/2023  
12/14/2023  
12/14/2023  
12/14/2023  
12/14/2023  
12/14/2023  
12/14/2023  
12/14/2023  
12/14/2023

**NOTES**



# INFORMATION/PRESENTATION



# Trash Collection Contract – July 1, 2024

**Hopewell City Council  
January 23, 2024**

Kim Hynes  
Executive Director, CVWMA  
[khynes@cvwma.com](mailto:khynes@cvwma.com)



## Contract Terms/ Timeline



- New Contract with WM begins July 1, 2024
- Contract is for 5 years with a 5-year renewal option





# New Contract with WM

---

- Weekly Collection
- New 95-gallon Trash Can –
  - Additional cans will be available for those that need extra room
- Will begin delivery mid-June to end of June
- What to do with the old carts?
  - Meridian Carts will be removed by Meridian
  - CVWMA / City will have the old City Carts removed
  - Leave all on the curb until removed
- Trash will *not* be collected from the old carts or any other can, other than the CVWMA issued can going forward





**NEW**

Call by 2pm day before collection to  
schedule Bulk Pick-Up for Wednesday

# Bulky Waste

- **What is Bulky Waste?** Items that do not fit in the Cart, such as furniture, appliances, yard waste
- **When will Bulky Waste be collected?** On Regular Trash Day
- **After scheduling a bulk pickup, how much can be put on the curb for regular bulky waste collection?** Same as current limits each week: *what can fit in the bed of a full-sized pick-up truck.* **More bulk than that?** Call for a special bulky waste collection.
- **NEW** – Residents will be required to schedule bulk pick up by **2:00pm** on the day before collection



# Communication Strategy

---

- **Partner with City on messaging**
  - City Spotlight
  - News Alerts
  - City and CVWMA social media
  - Traditional media/news release
  - Flyers in Library/City offices
  - Utility Bill Inserts
  - Farmers Markets/Public Events
  - Email (CVWMA has 1,300 emails for Hopewell residents)
- **Video** – similar to one we did in Colonial Heights
- **Message Content**
  - A new trash provider will serve Hopewell beginning 7/1/24 through a contract with CVWMA
  - Every home will receive a new trash cart (gray with black lid). Old carts will be hauled away for residents.
  - New rules for bulky waste pickup – must be requested in advance via web portal, email or phone. Loads limited to what can fit in the bed of a standard pick up truck.

Get Ready for  
New Trash Service



# Hopewell Planning Commission 2023 Annual Report to City Council

2024 01 23

Paul Reynolds, Carlos Roman, Todd Butterworth, Patience Bennett  
Chair Vice Chair



# Roadmap

- ▶ Planning Commission status
- ▶ 2023 Accomplishments
- ▶ FY2025 CIP recommendations
- ▶ 2024 Plans

# Planning Commission Status

- ▶ State law requires at least **five** members.
- ▶ During 2023, PC had only **four** half the time, including now.
- ▶ Please, help us help you

# 2023 Activities/ Accomplishments

- ▶ CIP recommendations
- ▶ Extended review of 2018/2028 Comp Plan
  - ▶ Rewrite of chap 3: strategies
- ▶ Deep analysis of short term rentals, accessory dwelling units and residency requirements.
  - ▶ Final motion for CC consideration



# PC CIP Recommendations

# PC CIP Recommendation #1

▶ (\$\$) Update city's zoning and subdivision ordinances

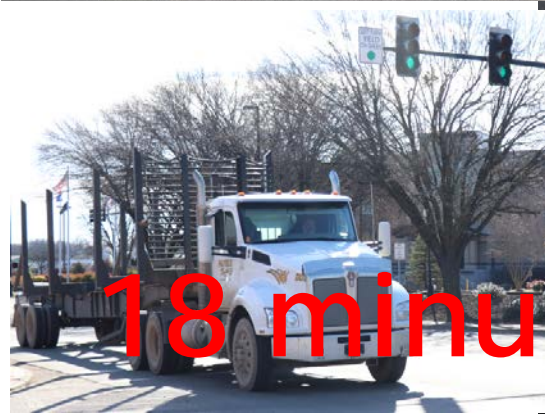
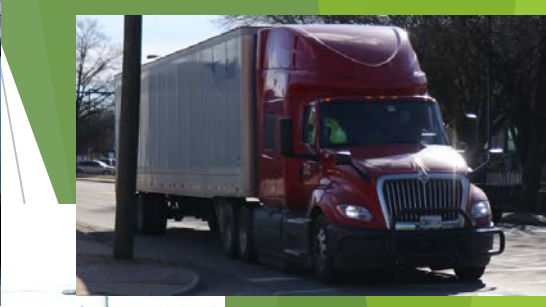
▶ After life and safety critical actions, this is the most important matter facing the city.

## PC CIP Recommendation #2

### ▶ (Free) Consider split value taxation

- ▶ Free to consider!
- ▶ You have handout I gave you two months ago.
- ▶ Could be best option for addressing underutilized and blighted properties.
- ▶ Encourages development.





18 minutes in front of the Beacon Theater





# PC CIP Recommendation #3

▶ (\$/Free) Pursue plans to manage traffic on Randolph Rd: speed, noise, volume and size.

- ▶ Talk to Mr. Ward - his office has done the homework
  - ▶ (\$)State law permits Hopewell to reroute big trucks with no further permission!
- ▶ (Free) HB-20 would allow video speed cameras.

<https://www.virginiamercury.com/2024/01/11/why-we-cant-fall-for-arguments-against-speed-cameras/>

## PC CIP Recommendation #4

▶ (\$\$) Provide signage for downtown and historic district

▶ Let's attract out-of-towners to see our history (and spend money at our local businesses)

## PC CIP Recommendation #5

### ▶ (Free) Install level 3 EV chargers

- ▶ Companies will install and maintain for split.
- ▶ Attracts out-of-towners to spend time in charger vicinity (e.g. downtown businesses)

# PC CIP Recommendation #6

## ▶ (\$) Design Entrance Corridor Overlays

- ▶ Entrance corridors are widely recognized as critical to outside perceptions of the community.
  - ▶ i.e. economic impact



# PC CIP Recommendation #7

## ▶ (Free\*) Permanently Close L-Dock at Marina

- ▶ It's in terrible shape.
- ▶ CC has already condemned it (March 2022).
- ▶ Serious liability to city if someone is injured or killed.

\*- 1000 feet of "danger" tape and a bit of staff time.

# 2024 PC Planned Activities

- ▶ State-mandated Comp Plan review and updates.
- ▶ Involvement in zoning and subdivision ordinance updates.

# PC Eager to Talk

- ▶ Let's have joint meetings occasionally to ensure we're all aiming in the same direction for our citizens and our community and economic health.

# COMMUNICATIONS FROM CITIZENS



# PUBLIC HEARING

PH-1



# CITY OF HOPEWELL CITY COUNCIL ACTION FORM

**Strategic Operating Plan Vision Theme:**

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

**Order of Business:**

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

**Action:**

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

**COUNCIL AGENDA ITEM TITLE: Request for Modification to Development Standards for installation of second freestanding sign at 2707 Oaklawn Blvd.**

**ISSUE:** The applicant, agent for Advance Auto Parts, requests the installation of a second freestanding sign at the Woodlawn entrance to 2707 Oaklawn Blvd. The existing ordinance does not allow for two freestanding signs for the same business.

**RECOMMENDATION:** The City Administration recommends approval of the Modification of Development Standards application for 2707 Oaklawn Blvd. to install a second freestanding sign at the Woodlawn entrance to the property.

**TIMING:** City Council action is requested on January 23, 2024.

**BACKGROUND:** The business previously had a non-conforming entrance sign at the Woodlawn entrance that was destroyed by a vehicle crash. The proposed new entrance sign will conform with the City’s freestanding sign requirements.

**FISCAL IMPACT:** None

**ENCLOSED DOCUMENTS:** MODS Application, Staff Report

**STAFF:** Christopher Ward, Director of Development

**SUMMARY:**

- |                          |                          |                                   |                          |                          |  |
|--------------------------|--------------------------|-----------------------------------|--------------------------|--------------------------|--|
| <b>Y</b>                 | <b>N</b>                 |                                   | <b>Y</b>                 | <b>N</b>                 |  |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Rita Joyner, Ward #1    | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Janice Denton, Ward #5         |
| <input type="checkbox"/> | <input type="checkbox"/> | Councilor Michael Harris, Ward #2 | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Brenda Pelham, Ward #6         |
| <input type="checkbox"/> | <input type="checkbox"/> | Mayor John B. Partin, Ward #3     | <input type="checkbox"/> | <input type="checkbox"/> | Councilor Dominic Holloway, Sr., Ward #7 |
| <input type="checkbox"/> | <input type="checkbox"/> | Vice Mayor Jasmine Gore, Ward #4  |                          |                          |  |

3609 Oldtown Blvd.  
Parcel # 089-0915



The City  
of  
Hopewell, Virginia

200.00  
200.00

City of Hopewell, VA  
Permits / Inspect... - 20230960ZA - 2023  
10/02/2023 03:42 PM  
Gina Penney  
PLANNING APPEALS - REVIEW  
Assessment Amount:  
Zoning Action Amount:  
Property Improvement  
Transit

300 N. Main Street · Department of Development · (804) 541-2220  
Fax: (804) 541-2318

APPEAL TO HOPEWELL PLANNING COMMISSION  
MODIFICATION OF DEVELOPMENT STANDARDS, ARTICLE XVIII OF THE  
HOPEWELL ZONING ORDINANCE  
(Appeal of Decision)  
Fee: \$200

THIS REQUEST IS HEARD BEFORE THE PLANNING COMMISSION AS AN APPEAL TO A DECISION MADE  
BY THE DIRECTOR OF DEVELOPMENT OR CITY ENGINEER

APPLICANT: Gina Penney  
ADDRESS: 1077 W. Blue Heron Blvd.  
West Palm Beach, FL 33404  
PHONE #: 561-720-6936 FAX #: 561-863-4294  
EMAIL ADDRESS: gina.pc@atlasbtw.com

INTEREST IN PROPERTY: \_\_\_\_\_ OWNER OR  AGENT

A. HAS ANY PREVIOUS APPLICATION OR APPEAL BEEN FILED IN CONNECTION WITH  
THIS PROPERTY? \_\_\_\_\_ Y \_\_\_\_\_  N

IF YES, PLEASE EXPLAIN: \_\_\_\_\_  
\_\_\_\_\_

B. DATE PROVIDED DENIAL OR NOTIFICATION OF THE NEED FOR A MODIFICATION TO  
DEVELOPMENT STANDARDS:

September 21, 2023

C. APPEAL OF DECISION/ INTERPRETATION:

STATE BASIS OF APPEAL:

Appeal is to request (1) additional ground sign @ the rear entrance of the property. There was a ground sign installed here but the sign was hit by a car and has to be removed. The ground sign is needed to clearly identify the store from the road behind the store. The store is set over 200' from the rear elevation and there is a lot of land scraping blocking the buildings visibility. The requested sign is within the allowed square footage and is under the allowed height. The request would be beneficial to potential customers + the client.

Attach additional sheets, if necessary

20230910



In accordance with Article XVIII, Section G of the Hopewell Zoning Ordinance related to Development Standards such appeal of the decision of the Director of Development or City Engineer must be made within thirty (30) days after the decision is provided of denial and/or need for a modification to the standards. The appeal must be filed with the Department of Development specifying the grounds thereof, and paying the applicable fee. The Director shall transmit the application to Planning Commission for its review and recommendation to the City Council. See Article XVIII, Section G, for complete requirements

AS OWNER OF THIS PROPERTY OR THE AUTHORIZED AGENT THEREFORE, I HEREBY CERTIFY THAT THIS APPLICATION AND ALL ACCOMPANYING DOCUMENTS ARE COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

[Signature]  
APPLICANT SIGNATURE

10.2.23  
DATE

Gina Penney  
APPLICANT PRINTED NAME

10.2.23  
DATE

OFFICIAL USE ONLY

DATE RECEIVED: 10-2-23 DATE OF FINAL ACTION: \_\_\_\_\_

ACTION TAKEN:

\_\_\_\_\_ APPROVED \_\_\_\_\_ DENIED

\_\_\_\_\_ APPROVED WITH THE FOLLOWING CONDITIONS:

\_\_\_\_\_  
\_\_\_\_\_



City of Hopewell, VA  
Dept. of Code Enforcement  
300 N. Main Street  
Hopewell, VA 23860  
804-541-2220  
Welcome

10/02/2023 03:42PM debra m.  
022953-0002 000200603  
Payment Effective Date 10/02/2023

PERMITS / INSPECTIONS

GINA PENNEY

ZONING APPEALS - REVIEW

2023 Item: 20230960|ZA \$200.00

Payment Id: 321787

-----  
\$200.00

Subtotal \$200.00

TP CC Fee \$6.50

Total \$206.50

TP DEVELOPMENT OFFLINE \$206.50

-----  
Change due \$0.00

Paid by: GINA PENNEY



Thank you for your payment.

CUSTOMER COPY

# **Advance Auto Parts**

Store Number: 2850  
3609 Oaklawn Blvd  
Hopewell, VA 23860

S.O. Number: 166472  
Created: 03/28/2023  
Revised: 10/24/2023



National Headquarters: 1077 West Blue Heron Blvd.  
West Palm Beach, Florida 33404  
800.772.7932  
[www.atlasbtw.com](http://www.atlasbtw.com)



PROPOSED

EXISTING CONDITIONS



National Headquarters: 1077 West Blue Heron Blvd.  
 West Palm Beach, Florida 33404  
 800.772.7932  
 www.atlasbw.com

Revisions:

04.06.23 (NR)	Updated to larger ground sign	---
10.14.23 (NR)	Updated to Aluminum Base	---
10.14.23 (NR)	Updated Size of Base and GAN	---
---	---	---

Site #2850

S01

PM Hannah P.

Drawn By: NR

Date: 03/28/2023

Address: 3609 Oaklawn Blvd

City/State: Hopewell, VA 23860

Drawing Number:

166472-S01





**Scope and Description:**

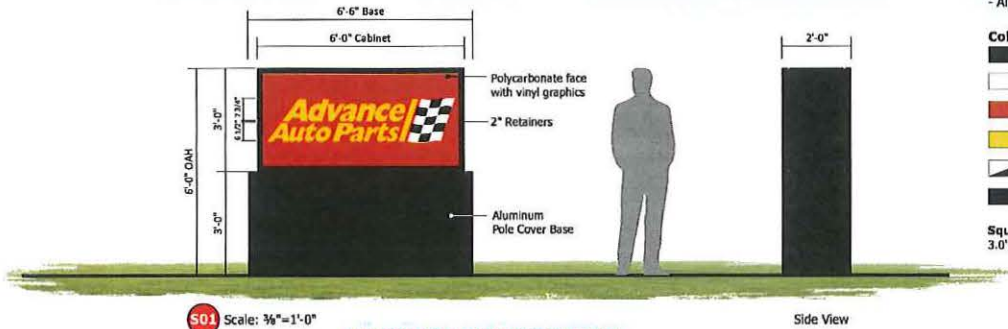
Manufacture new D/F internally illuminated sign cabinet on aluminum base.

- Cabinet construction of aluminum sheet over internal steel tube frame.
- Faces are white polycarb with applied vinyl graphics.
- Cabinet is internally illuminated with white LED modules.
- Installs on steel upright support in concrete footing.
- Aluminum fabricated Pole Cover Base

**Colors:**

- Pre-Finished Black
- 7328 White Polycarbonate
- 3M 3630-33 Red Translucent Vinyl
- 3M 3630-015 Yellow Translucent Vinyl
- White (Reverse Weed) / 3M 3630-22 Black Vinyl
- Paint Akzo Nobel Black

**Square Footage:**  
3.0' x 6.0' = 18.00 Sq Ft



**S01** Scale: 3/8"=1'-0"

**\*\*INSTALL 6'-0" SETBACK FROM SIDEWALK\*\***

Side View

**ELECTRICAL NOTES**

1. All materials and fasteners meet 3004.4
2. All electrical components are UL listed, labeled and approved.
3. Sign grounded according to NEC 600.7.7
4. Signs manufactured and listed NEC 600.3 and marked per NEC 600.4.
5. All branch circuits per NEC 600.5(B).1 or (B).2
6. All Signs controlled by photocell or time clock per FBC 13-415. (ABC).1.4
7. One visible 20 amp disconnect per sign per circuit per NEC 600.6(A).1



National Headquarters: 1077 West Blue Heron Blvd.  
West Palm Beach, Florida 33404  
800.772.7932  
www.atlasbvw.com

**Revisions:**

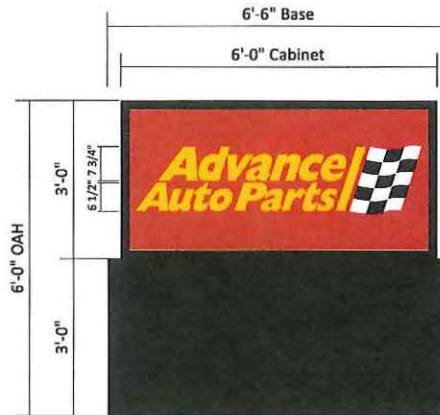
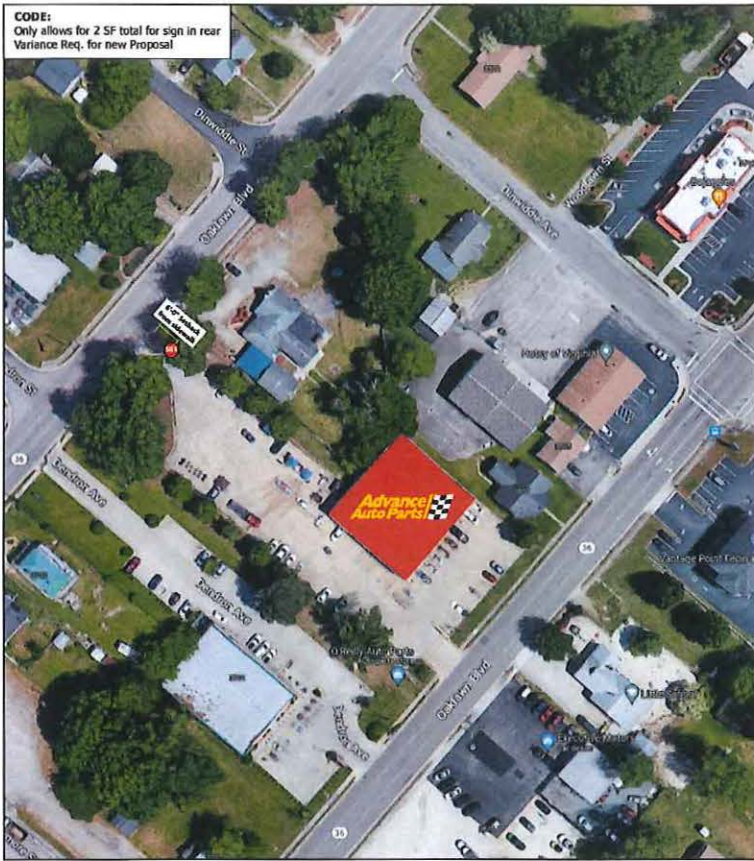
04.06.23 (D/F) Updated to larger ground sign	--
10.14.23 (D/F) Updated to Aluminum Base	--
10.24.23 (D/F) Updated Size of Base and OAH	--
	--

Site #2850

**S01**

PM. Hannah P. Address: 3609 Oaklawn Blvd  
Drawn By: NR City/State: Hopewell, VA 23860  
Date: 03/28/2023 Drawing Number: 166472-S01

**CODE:**  
Only allows for 2 SF total for sign in rear  
Variance Req. for new Proposal



**S01** Ground Sign - 3'-0" x 6'-0" = 18 SQFT



National Headquarters: 1077 West Blue Heron Blvd.  
West Palm Beach, Florida 33404  
800.772.7932  
www.atlasblw.com

**Revisions:**

- 04.06.23 (R) Updated to larger ground sign
- 10.16.23 (R) Updated to Aluminum Base
- 10.24.23 (R) Updated Size of Base and OAH

Site #2850

SP

PM Hannah P.

Drawn By: NR

Date: 03/28/2023

Address: 3609 Oaklawn Blvd

City/State: Hopewell, VA 23860

Drawing Number:

166472-SP



# City of Hopewell

APPLICATION # \_\_\_\_\_  
(Completed by City Staff)

Planning & Development • 300 N. Main Street, Hopewell, VA 23860 • 804-541-2220

## SPECIAL/LIMITED POWER OF ATTORNEY LAND USE APPLICATION

**KNOW ALL BY THESE PRESENT:**

1. That I Bobbie N. Reading am the owner of the property described by the Tax ID number(s) below, and I am authorized to take the action indicated herein and sign this Special Limited Power of Attorney:  
0890915

**NOTES:**

**(A) IN CASE WHERE THE APPLICANT IS NOT THE SOLE PROPERTY OWNER, THE APPLICANT MUST OBTAIN POWER OF ATTORNEY FROM THE OTHER PROPERTY OWNER(S) EVEN IF AN AGENT IS TO REPRESENT THE APPLICATION.**

**(B) IF AN AGENT IS TO REPRESENT THE CASE AND SIGN ALL DOCUMENTS, THE AGENT MUST ALSO OBTAIN POWER OF ATTORNEY FROM THE PROPERTY OWNER(S).**

2. I do hereby make, constitute and appoint:

Name: Gina Penney OR  
Name: —

to act as my/our true and lawful attorney-in-fact for and in my name, place and stead with full power and authority I would have if acting personally to seek rezoning, conditional use, street/alley vacation, zoning ordinance amendment, modification to development standards, special exception, variance and/or substantial accord determination and to complete a zoning disclosure affidavit and to set forth and offer such legally acceptable voluntarily proffered conditions including any additions, amendments, modifications or deletions thereto that in their discretion are deemed reasonable, appropriate and necessary except as follows:

No exceptions.

3. This special limited power of attorney shall expire upon final action or withdrawal of the application to which this form applies.

(NOTE: EACH PROPERTY OWNER MUST SIGN AND HAVE SIGNATURE NOTARIZED.)

4. WITNESS the following signature:

Print: Bobbie N. Bedding  
Property Owner Name

Bobbie N. Bedding  
Property Owner Signature

STATE OF North Carolina

COUNTY/CITY OF WAKE to-wit:

This 16 day of October, 20 23 personally appeared before me,  
M. Mangrum Ledford, a Notary Public in and for the County/City and  
State aforesaid, and swore or affirmed that the matters state in the foregoing Zoning Disclosure  
Affidavit are true to the best of his knowledge and belief.

Given under my hand this 16 day of October, 20 23.



M. Mangrum Ledford  
Notary Public

My Commission Expires: July 16 2028

Notary's Registration Number: \_\_\_\_\_





**3609 Oaklawn Blvd. - Parcel #089-0915**  
**Owner/Applicant: Gina Penney - Agent**  
**Modification to Development Standards**  
 Staff Report prepared for the City Council Work Session

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

**I. MEETINGS, WORK SESSIONS & PUBLIC HEARINGS:**

Planning Comm.	Public Hearing	Nov. 2, 2023	Rec. Approval 3-0
City Council	Work Session	Dec. 12, 2023	No Action
City Council	Public Hearing	TBD	

**II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

Requested Zoning:	N/A
Existing Zoning:	B-4, Corridor Development District
Land SF:	66,298SF
Owner:	Bobbi N. Redding
Legal Description:	Lot 6R, Block 18, Subdivision Woodlawn
Election Ward:	Ward 7
Land Use Plan Recommendation:	Interchange Commercial
Strategic Plan Goal:	N/A
Zoning of Surrounding Property:	North: B-4 South: B-4 East: B-4 West: B-4

**III. EXECUTIVE SUMMARY:**

The City of Hopewell has received a request from Gina Penney, agent for the business located at the subject property (Advance Auto), to modify the development standards in accordance with Article XVIII, Section G, to erect a freestanding monument-style sign at

the Woodlawn Street entrance to the business. The business had a non-conforming entrance sign in this location within the last two years until a vehicle destroyed it. The business location already has one legal non-conforming sign at the Oaklawn entrance.

#### **IV. APPLICABLE CODE SECTIONS:**

The provisions of the Zoning Ordinance that are germane to this request for a Modification to the Development Standards are:

#### **ARTICLE XVIII – DEVELOPMENT STANDARDS**

##### **F. SIGNAGE**

##### **8. Signs Permitted in the B-3 and B-4, Districts.**

The following signs are permitted in the B-3 and B-4 districts, unless otherwise noted.

- a. Signs for residential uses shall be regulated by subsection 4 of this Section F.
- b. For permitted commercial or industrial uses, total sign area for building mounted signs on buildings housing only one (1) tenant, shall not exceed in the aggregate two (2) square feet of sign area for each lineal foot of building frontage. No such sign area shall be required to be less than forty (40) square feet, nor shall it exceed two hundred (200) square feet.
- c. On lots containing buildings housing more than one (1) tenant, sign area for building-mounted signs for each tenant shall not exceed two (2) square feet for each lineal foot of building frontage occupied by that tenant, with a maximum sign area for that respective tenant of two hundred (200) square feet. No such sign area shall be required to be less than forty (40) square feet.
- d. The following types of building mounted signs shall be permitted:
  - (1) Projecting signs, provided that such signs shall not project nearer than five (5) feet from any property line.
  - (2) Roof signs.
  - (3) Signs attached to the vertical face of a marquee, provided that such signs shall not project below the lower edge of the marquee, nor shall extend above the vertical marquee face.
  - (4) Wall signs.
  - (5) Signs on awnings, provided that such signs shall be limited to the drop leaf and letters shall not exceed eight (8) feet in area.
- e. In addition to building mounted signs, freestanding signs shall be permitted. The area permitted for freestanding signs shall be in addition to that permitted for building mounted signs.

- (1) Freestanding signs shall not exceed in the aggregate forty (40) square feet, and shall not extend higher than ten (10) feet. One (1) freestanding sign is allowed per parcel.
- (2) No more than one (1) freestanding sign shall be permitted for a shopping center limited in area to fifty (50) square feet, and shall not extend higher than ten (10) feet. Such sign shall indicate only the name of the shopping center and/or a business use or combination of business uses within the center. No other freestanding signs shall be permitted; except that an individual enterprise with a direct access to a highway defined as a thoroughfare street in the comprehensive plan shall be permitted one (1) freestanding sign, not to exceed forty (40) square feet in area and limited height to ten (10) feet.

#### **G. MODIFICATIONS TO DEVELOPMENT STANDARDS AND REQUIREMENTS**

1. *Any aggrieved party may appeal the determination of the Director of Development or City Engineer related to the standards contained within this Article, except for those development standards or requirements, which must be modified by the granting of a variance, special exception, conditional use permit or rezoning. Such an appeal shall be taken within thirty (30) days after the decision appealed from by filing with the Director of Development a notice of appeal specifying the grounds thereof, and paying the applicable fee established for said appeal in Article XXII-G of this ordinance. The Director of Development shall forthwith transmit to the Planning Commission for its review and recommendation to City Council all the papers constituting the record upon which the action appealed from was taken.*
2. *An appeal shall stay all proceedings, to include but limited to site plan, building permit or record plat approval, in furtherance of the action appealed from, unless the Director of Development certifies to the Planning Commission that, by reason of facts stated in the certificate, a stay would in his opinion cause imminent peril to life and property, which case proceedings shall not be stayed otherwise than by a restraining order granted by a court of record, on application and on notice to the Director of Development and for good cause shown.*
3. *The Planning Commission shall fix a reasonable time for hearing of the application and shall, within ninety (90) days after the first meeting of the Planning Commission after such referral, report to the City Council its recommendation on the matter, unless the applicant requests or consents to action beyond such time or unless the applicant withdraws the request.*
4. *Upon receipt of the recommendation of the Planning Commission, the City Council, after public notice in accordance with Virginia Code 15.2-2204,*

*shall hold at least one public hearing on such application, and as a result thereof, shall either approve or deny the request.*

5. *The City Council may grant modifications, with or without conditions, to development standards or requirements specific to this Article. No modification to a development standard or requirement shall be authorized by the City Council unless it considers and determines substantial compliance with the Comprehensive Plan. The City Council shall not grant a modification to any development standard or requirement if:*
  - a. *The granting of the modification will constitute the granting of a variance, special exception, conditional use or a rezoning.*
  - b. *Ordinary financial considerations are the principal reason for the requested modification.*
  - c. *The modification amends a property-specific condition imposed by the City Council or the Board of Zoning Appeals, unless such condition specifically grants such modification authority to the City Council.*
  - d. *The applicant created the condition or situation generating the need for the modification and the applicant has not exhausted all other practicable solutions to the problem, including, but not limited to, the acquisition of additional property, the elimination or redesign of structures, or the reduction of the development density.*
6. *Any person or persons jointly or severely aggrieved by the final decision of the City Council shall file a written appeal with the Circuit Court for review by filing a petition at law, setting forth the alleged illegality of the action of the governing body, provided such petition is filed within thirty (30) days after the final decision is rendered by the governing body. The filing of the said petition shall stay the decision of the governing body pending the outcome of the appeal to the court. The court may reverse or modify the decision of the governing body, in whole or in part, if it finds upon review that the decision of the governing body is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the governing body. Adjacent property owners' appeals shall be limited to conditions which directly affect the property owners and include access, utility locations, buffers, conditions of zoning, architectural treatment and land use transactions. The court shall fix a reasonable time for hearing the appeal.*



## V. SUBJECT PROPERTY:

The subject property is located in Ward 7 in the Corridor Development District (B-4). The property is identified as 3609 Oaklawn Blvd. (Parcel #089-0915). The property is 66,298sf (1.522 acres) that sits between two opposing one-way thoroughfares. A legal, non-conforming freestanding pole sign is located at the Oaklawn Boulevard entrance. The Development Standards (Article XVIII in the Hopewell Zoning Ordinance) limit the number of freestanding signs to one. A second freestanding entrance sign was located at the Woodlawn entrance until a vehicle impact destroyed the sign.

## VI. APPLICANT'S POSITION:

The applicant states that a second sign located at the Woodlawn entrance is needed to clearly identify the store entrance from that street. The applicant continues that the store is located approximately 200 feet from the Woodlawn entrance and not readily visible from that roadway.

## VII. ZONING/STAFF ANALYSIS:

Staff conducted a site visit of the applicant property on October 24, 2023 and verified that the business is not visible from Woodlawn Street as one approaches the entrance to the business. Staff has determined that the installation of an entrance sign at this location is warranted and necessary since it will reduce confusion of drivers attempting to locate the entrance to the business.

Additionally, the proposed freestanding monument-style sign conforms to the specifications set forth in the Development Standards.

## VIII. STAFF RECOMMENDATION:

Section G of Article XVIII, copied on page 3 of this report provides the criteria for approval of a modification. If the applicant meets any of these criteria, the modification cannot be granted. After careful review of the application, Staff concludes that the application does not meet any of the criteria and, therefore, recommends **approval** of the modification to development standards application. A detailed answer for each of the criteria follows:

- a. *The granting of the modification will constitute the granting of a variance, special exception, conditional use or a rezoning. This request does not meet the criteria for a variance, special exception, conditional use or a rezoning.*
- b. *Ordinary financial considerations are the principal reason for the requested modification. Financial considerations are not the principal or secondary reason for the requested modification.*
- c. *The modification amends a property-specific condition imposed by the City Council or the Board of Zoning Appeals, unless such condition specifically grants such modification authority to the City Council.*  
*The modification will not amend a property-specific condition.*

- d. *The applicant created the condition or situation generating the need for the modification and the applicant has not exhausted all other practicable solutions to the problem, including, but not limited to, the acquisition of additional property, the elimination or redesign of structures, or the reduction of the development density.*

*The applicant did not create the situation. A vehicle impact destroyed the previous sign at this location and the applicant seeks to replace it in accordance with the specifications for freestanding signs.*

#### **IX. PLANNING COMMISSION RESOLUTION:**

In accordance with Article XVIII, Section G, of the Hopewell Zoning Ordinance, the Hopewell Planning Commission recommends to **APPROVE** (3-0) the request submitted by Gina Penney on behalf of Advance Auto for a modification to the development standards to construct a freestanding sign at the Woodlawn Street entrance to 3609 Oaklawn Boulevard.





# 3609 Oaklawn Blvd. – Parcel #089-0915 Modification to Development Standards

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JANUARY 23, 2023 – CITY COUNCIL PUBLIC HEARING



# 3609 Oaklawn Blvd. – Parcel #089-0915

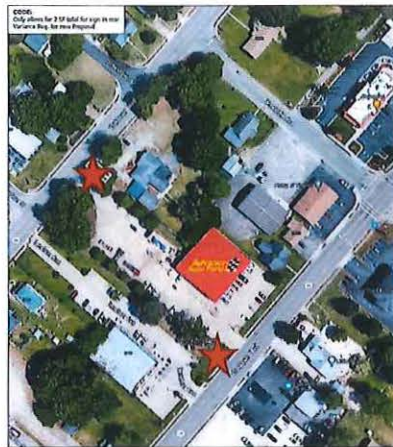
Owner: Bobbi N. Redding  
Applicant: Gina Penney, Agent  
Existing Zoning: B-4, Corridor Development District  
Future Land Use Plan: Interchange Commercial  
Election Ward: Ward 7





# 3609 Oaklawn Blvd. – Parcel #089-0915

Requesting to allow second freestanding sign at second entrance



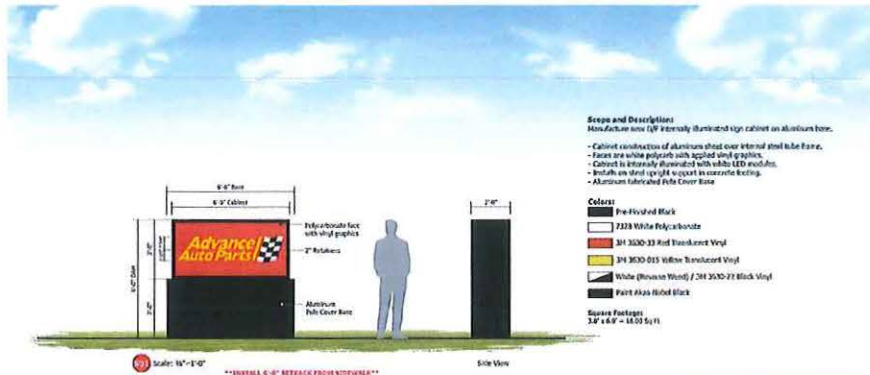
Ground Sign - 3'0" x 6'0" - 18/027

 Atlas 10000 Atlas Road, Suite 100 Fairfax, VA 22030 www.atlas.com	Prepared by: Date: Project: Description: City: State: Zip: Phone: Fax:	Title: Date: City: State: Zip: Phone: Fax:	Title: Date: City: State: Zip: Phone: Fax:
	10000 Atlas Road, Suite 100 Fairfax, VA 22030 www.atlas.com	10000 Atlas Road, Suite 100 Fairfax, VA 22030 www.atlas.com	10000 Atlas Road, Suite 100 Fairfax, VA 22030 www.atlas.com



# 3609 Oaklawn Blvd. – Parcel #089-0915

The proposed second sign will conform to the city's freestanding sign specifications.



National Headquarters: 1077 West Blue Heron Blvd  
 West Palm Beach, Florida 33414  
 888.722.7333  
 www.atlasfr.com

File name:  
 16-089-0915-02-signage.dwg  
 16-089-0915-02-signage.dwg  
 16-089-0915-02-signage.dwg

Site # 2180  
 S01

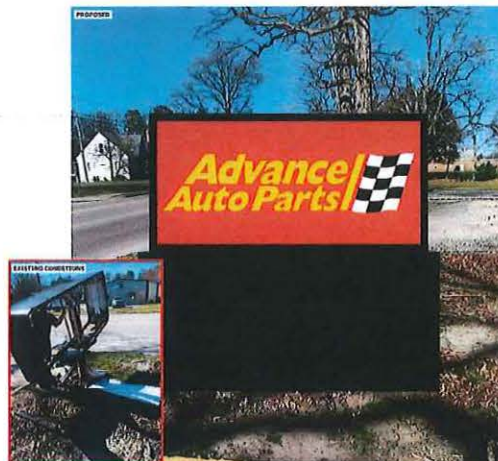
File: Hopewell\_P  
 Project: 16

Address: 3609 Oaklawn Blvd  
 City: Hopewell, VA 23060  
 Phone: 813/9792021  
 Drawing Number: 160473 501

NO.	DESCRIPTION
1.	1. All work to be completed by 10/15/16
2.	2. All work to be completed by 10/15/16
3.	3. Signage to be installed by 10/15/16
4.	4. Signage to be installed by 10/15/16
5.	5. All work to be completed by 10/15/16
6.	6. All work to be completed by 10/15/16
7.	7. All work to be completed by 10/15/16

# 3609 Oaklawn Blvd. – Parcel #089-0915

Previous sign did not conform to the city's freestanding sign specifications.



	National PartsDepot, 1072 Blvd. Bruce Howard Blvd. Wood Park, South, Florida 33504 800.772.7330 www.atlas.com	Revisions: 1. 10/15/15: Initial design and plan 2. 10/15/15: Update design and plan 3. 10/15/15: Update design and plan	Site #2850	111 Main St.	Address: 309 Oaklawn Blvd.
			S01	Hopewell, VA	City/State: Hopewell, VA 23103
			Plan #001823	Drawn by: [Name]	30413-001


# Considerations for Modifications to Development Standards

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A Modification to Development Standards should **not** be granted if:

- 1) The granting of the modification will constitute the granting of a variance, special exception, conditional use, or a rezoning.
- 2) Ordinary financial considerations are the principal reason for the requested modification.
- 3) The modification amends a property-specific condition imposed by the City Council or the Board of Zoning Appeals, unless such condition specifically grants such modification authority to the City Council.
- 4) The applicant created the condition or situation generating the need for the modification and the applicant has not exhausted all other practicable solutions to the problem, including, but not limited to the acquisition of additional property, the elimination or redesign of structures, or the reduction of the development density.

Article XVIII, Section G, 5(a-d) of the Hopewell Zoning Ordinance





# Staff Recommendation

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Staff recommends approval of the requested second entrance sign for 3609 Oaklawn Blvd.



# Planning Commission Recommendation

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Planning Commission recommended approval of the requested second entrance sign for 3609 Oaklawn Blvd with a vote of 3-0 at the November 2, 2023 meeting.



Questions?

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UNFINISHED  
BUSINESS



UB-1

## HOPEWELL CITY COUNCIL MEETING SCHEDULE 2024

AGENDA MEETING	10:00 AM - FIRM	COUNCIL MEETING
	<b>DEADLINE TO ADD ITEMS SUPPORTING DOCUMENTATION</b>	
Tuesday, January 2, 2024	Wednesday, January 3, 2024	Tuesday, January 9, 2024
Tuesday, January 16, 2024	Wednesday, January 17, 2024	Tuesday, January 23, 2024
Tuesday, February 6, 2024	Wednesday, February 7, 2024	Tuesday, February 13, 2024
Tuesday, February 20, 2024	Wednesday, February 21, 2024	Tuesday, February 27, 2024
Tuesday, March 5, 2024	Wednesday, March 6, 2024	Thursday, March 14, 2024 (NLC Conflict)
Tuesday, March 19, 2024	Wednesday, March 20, 2024	Tuesday, March 26, 2024
Tuesday, April 2, 2024	Wednesday, April 3, 2024	Tuesday, April 9, 2024
Tuesday, April 16, 2024	Wednesday, April 10, 2024	Tuesday, April 23, 2024
Tuesday, May 7, 2024	Wednesday, May 8, 2024	Tuesday, May 14, 2024
Tuesday, May 21, 2024	Wednesday, May 22, 2024	Tuesday, May 28, 2024
Tuesday, June 4, 2024	Wednesday, June 5, 2024	Tuesday, June 11, 2024
Tuesday, June 18, 2024	Wednesday, June 19, 2024	Tuesday, June 25, 2024
Tuesday, July 16, 2024	Wednesday, July 17, 2024	Tuesday, July 23, 2024
Tuesday, August 20, 2024	Wednesday, August 21, 2024	Tuesday, August 27, 2024
Tuesday, September 3, 2024	Wednesday, September 4, 2024	Tuesday, September 10, 2024
Tuesday, September 17, 2024	Wednesday, September 18, 2024	Tuesday, September 24, 2024
Tuesday, October 1, 2024	Wednesday, October 2, 2024	Tuesday, October 8, 2024
Tuesday, October 15, 2024	Wednesday, October 16, 2024	Tuesday, October 22, 2024
Wednesday, November 6, 2024	Thursday, November 7, 2024	Tuesday, November 19, 2024 (NLC Conflict)
Tuesday, December 3, 2024	Wednesday, December 4, 2024	Tuesday, December 10, 2024

Regular City Council meetings are held at 7:30 p.m. on the 2nd and 4th Tuesday of each month, unless otherwise posted. Meetings are held in the City Council Chambers, Municipal Building, 300 N. Main St, Hopewell, VA 23860  
NLC Conference Dates: March 11-13, June 21-23, November 13-16  
VML Conference: October 13-15

Original Dates for March and November are March 12 and November 12, due to the conflict of the NLC conference the suggested change is in the schedule.

REGULAR BUSINESS



R-1



# City of Hopewell

Project Management Office and  
Accounting Remediation Services

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January 23, 2024



# Agenda

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## 1. Progress to Date & Recent Successes

- **Accounting Remediation**
- **Project Management Office (PMO)**
  - Industry
  - Standard Operating Procedures Update
    - Deep Dive and Walkthrough of Sample SOP & Visio Chart
  - Enterprise Resource Management Update
    - Pooled Cash Walkthrough

## 2. Newly Identified Risks & Mitigation

## 3. Next Steps

# Accounting Remediation



# Accounting Remediation

- **FY 2020 Financial Statements:** Successfully submitted to external auditors.
- **FY 2021 Bank Reconciliations:** Initiation and completion of several months' work. The reconciliation process for 2021 is proceeding more smoothly, benefiting from the experiences and insights gained from completing FY 2020.



# Project Management Office (PMO)

# Industry

# Industry Assessment

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- **Active Review of Industry Reconciliations:** The team is thoroughly reviewing all reconciliations performed within the Industry sector.
- **Challenges in FY 2018 and FY 2019 Reconciliations:** Encountered significant challenges due to incorrect application of leachate credits. Steps taken include updating reconciliations to incorporate necessary leachate credits or confirming their inapplicability.
- **Reconciliations for FY 2020, FY 2021, FY 2022, and FY 2023:** Found to be reasonable and correctly executed. All identified issues have been successfully resolved.



# Standard Operating Procedures (SOPs)

# Standard Operating Procedures Progress

**22** Narratives



**22** Standard Operating Procedures (Word Documents)  
**22** Standard Operating Procedures (Visio Workflows)

## CURRENT STATUS

- **17** Word Documents under creation/updating/review process.
- **14** Visio Flowcharts under creation/ updating/review process.

**70%** of the documents have been initiated and are currently under review and updates

# Benefits – Standard Operating Procedures

- **Improved Public Services:** Streamlines city operations, leading to faster and more reliable services for residents.
- **Greater Transparency:** Makes city processes clearer to the public, enhancing trust and understanding.
- **Effective Resource Management:** Promotes more efficient use of city resources, potentially saving time and money.
- **Increased Governance Efficiency:** Enhances the city's ability to manage its affairs effectively, demonstrating improved self-governance capabilities.
- **Fiscal Responsibility:** Streamlines operations to optimize budget usage, potentially averting financial crises and dependence on state intervention.
- **Evidence of Proactive Leadership:** Demonstrates to the state and residents that city officials are actively working to address and rectify systemic issues.

SOP Example Walkthrough

# Enterprise Resource Management (ERP)



## ERP Actions & Update

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- **Standard Operating Procedures Reviews:** Continued engagement in the SOP review process, ensuring accurate representation of all ERP System (Munis) steps and providing recommendations for improvement when necessary.
- **ERP Module Demonstrations:** Coordinating with Tyler Technologies and the ERP Administrator to schedule demonstrations for unimplemented ERP modules to assist City staff with decisions on implementing / streamlining processes.
- **Reconciliation Support:** Providing consistent, substantial support to the Reconciliation Team through data extraction within the Tyler Munis ERP system.
- **Project Work Plan:** Delivering a detailed project work plan that outlines strategy, responsibilities, and timelines for addressing ERP improvement recommendations identified in discovery sessions with City staff.
- **Training sessions:** Preparing for upcoming training sessions with Tyler and city staff, focusing specifically on the Bank and Cash Reconciliation training scheduled for Thursday, 1/25/2024.
- **Pooled Cash Fund Implementation:** Developed a comprehensive document on pooled cash fund testing, including implementation recommendations within the City of Hopewell, VA. This topic will be discussed with Tyler in an upcoming training session.

## Pooled Cash – What is it?

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- **Pooled Cash Management:** A financial strategy employed to optimize the handling of funds within an organization.
- **City's Financial Structure:** Maintains several distinct accounts for different purposes, such as education, recreation, and more.
- **Streamlining Transfers:** Pooled cash simplifies the process of transferring funds between these accounts, ensuring seamless financial coordination.

# Pooled Cash – Current and Future States

## Current State

- **Lack of Special Fund:** The city does not have a specialized fund for effective cash flow management.
- **Centralized Transactions:** Most cash transactions occur within a single main account in the General Fund.
- **Misalignment in ERP System\*:** The accounts in the ERP system\* do not align well with the city's actual bank accounts.
- **Reconciliation Challenges:** The city encounters difficulties in reconciling financial records within the ERP system\*.

\* ERP System – The software system used to run the processes in the City

## Future State

- **Pooled Cash Fund Implementation:** ERP Consultants recommend integrating a pooled cash fund into the City's current financial structure for enhanced efficiency.
- **Informed by Best Practices:** This recommendation stems from industry best practices and insights gained from comprehensive discovery, testing, and evaluation efforts within the city.
- **Benefits of Pooled Cash:** Implementing a pooled cash system is expected to increase financial transparency, streamline operations, and improve the accuracy of financial reporting in the city's financial management.



## Benefits – Pooled Cash Fund

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- **Improved Cash Flow Management:** Facilitates better control over cash flow within the city's financial system.
- **Enhanced Reconciliation:** Simplifies transaction tracking across multiple funds, improving reconciliation accuracy.
- **Efficient Inter-Fund Transactions:** Eliminates the need for direct transfers between funds, streamlining operations.
- **Clear Cash Equity Accounts:** Offers a transparent view of each fund's financial status within the pooled cash fund.
- **Simplified Reporting:** Enables the aggregation and consolidation of cash balances for straightforward financial reporting to stakeholders and auditors.
- **Enhanced Financial Transparency:** Segregates cash and investments clearly within the pooled cash fund, making it easier to track and report on each fund's activities and ensuring greater transparency.



# Newly Identified Risks & Mitigation

# Next Steps

## Next Steps

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- **Finalize FY 2021 Reconciliations:** Actively complete the reconciliations for FY 2021 financial transactions and prepare the final financial book for audit.
- **Advance SOP Development:** Continue diligently drafting and reviewing the upcoming Standard Operating Procedures (SOPs) to ensure accuracy and completeness, and ready them for presentation and city approval.
- **Implement Pooled Cash Functionality:** Develop and execute a clear strategy for integrating pooled cash management into the city's financial operations using the Tyler Munis system.
- **Execute ERP Training and Enhancements:** Schedule and conduct training sessions, and demonstrate upcoming modules to facilitate their implementation within the Munis ERP system.

**Thank you**



R-2

**RULES OF CITY COUNCIL**  
**THE CHAIR – POWERS AND DUTIES**  
*(As amended through February 2, 2021)*

101. **Robert’s Rules of Order; Parliamentarian; Presiding Officer** – Where these rules are silent, Robert’s Rules of Order prevails (Charter IV.4). The city attorney is parliamentarian, whose ruling, when requested by or through the presiding officer, is final and binding, subject only to appeal to and a two-thirds vote of all council members. The presiding officer is the council president (mayor) or, in the mayor’s absence, the vice-president (vice mayor) (Charter IV.5). If the mayor and vice mayor are absent, the temporary chair (see Rule 103) is the presiding officer.
102. **Roll Call; Quorum** – The presiding officer takes the chair at the appointed meeting hour, and immediately calls council to order. The city clerk then calls the roll, and enters in the meeting minutes the names of the councilors as present or absent. In the absence of a quorum, the city clerk attempts to procure the attendance of absent councilors. A quorum exists when a majority of all councilors is present (Charter IV.4).
103. **Temporary Chair** – In the absence of the mayor and vice mayor, the city clerk calls council to order, and calls the roll. If a quorum exists, council elects by majority vote of those present one of its members to be temporary chair until the mayor or vice mayor appears.
104. **Appeals** – See Rule 101.
105. **Voting Methods** – Votes upon a motion to adopt an ordinance or resolution are by roll call. All other votes are recorded by “ayes” and “nays” (Charter IV.8), unless the presiding officer requests a roll call. No councilor is excused from voting except on items that consider the councilor’s official conduct, or involve the councilor’s financial or personal interests (Charter IV.8). Although one cannot be compelled to vote (Robert’s Rules), a

councilor (a) who is present but fails to vote without having been excused under this rule, or (b) who, in violation of Rule 209, excused himself or herself from the meeting to avoid voting, may be disciplined (Charter IV.4; Va. Code § 2.2-3711).

106. Presiding Officer's Designee – The presiding officer may designate another councilor to preside for a single issue. If the mayor is the presiding officer, the vice mayor is designated. If the vice mayor is unavailable, the presiding officer may designate any other councilor.

#### **MEMBERS – DUTIES AND PRIVILEGES**

201. **Seating** – Councilors are seated at the council chamber dais as follows. Mayor: center; vice mayor: immediate left of mayor; most-recent past mayor, if any: immediate right of mayor; remainder of members: in increasing numerical order by ward, starting at the far left of the mayor and the immediate right of the city manager. If the vice mayor is the most-recent past mayor, then the next-most-recent past mayor sits to the right of the mayor. The remaining seats are occupied, from the far left, by the city attorney, the city manager, the city clerk, and the assistant city clerk, respectively.

Sample Seating Chart

[podium]



202. **Addressing Council** – Councilors and others are addressed or referred to as Mr., Mrs., Miss, Ms., Madam, and/or by title. For example, "Madam Mayor," "Vice Mayor Jones," "Councilor Smith," "Mr. Williams," or "the City Manager.
203. **Discussion Limitation** – Councilors shall not ask questions during presentations of regular or special business items. After a presentation concludes, or if no presentation is made, a councilor may speak for no more than two times and for no longer than three minutes total on any item. This limit shall also apply to and include questions, discussion, and debate of an action item after a motion is made and seconded. No councilor shall be entitled to speak for a second time under this rule until every other councilor has had an opportunity to speak. The limitations of this rule shall not apply to public hearings, work sessions, or to points of order. For the purpose of this rule, a substitute or amended motion shall constitute a new action item for which these limitations shall apply.
204. **Voting Order** – Roll call for voting is by ward number. At the first meeting in January, the roll call starts with the Ward 1 councilor, and proceeds numerically, through the Ward 7 councilor. At each meeting thereafter, the roll call is rotated by beginning with the Ward 2 councilor at the second meeting, and so on until each councilor has voted first. Once all councilors have voted first, the process repeats.
205. **Motions** – All motions, except those to adopt ordinances making appropriations, authorizing the contracting of indebtedness, or relating to the issuance of bonds or other evidences of debt, are confined to one subject (Charter IV.8).
206. **RESERVED**
207. **Dissent or Protest** – During debate, a councilor has the right to express dissent from or protest against the adoption of any ordinance or resolution.
208. **Attendance** – Councilors notify the city clerk of absence from a scheduled meeting, at least 12 hours in advance if possible. The city clerk promptly notifies all councilors of the absence, if a quorum might not be present.



209. **Excuse During Meeting** – Any councilor may excuse himself or herself during a meeting, except to avoid voting.

#### REGULAR AND SPECIAL MEETINGS; AGENDA

301. **Regular Meetings** – Regular meetings are held in the council chamber, third floor of the Municipal Building, beginning at 7:30 p.m., at least once each month (Charter IV.6), on such days and at other times or places established at council's annual meeting (Va. Code § 15.2-1416).
302. **Special Meetings** – Special meetings are called by the city manager, the mayor, or any other councilor (Charter IV.6), upon notice that is reasonable under the circumstance (Va. Code § 2.2-3708.2) but no less than 12 hours. The city clerk immediately notifies, in addition to the public, the city manager, the city attorney, and each councilor by electronic mail or other writing if previously requested by the councilor, of the meeting time and place, and the specific items of business. No other items are considered unless all councilors are present and unanimously consent. Notice is waived if all councilors attend the meeting or sign a waiver (Va. Code § 15.2-1418).
303. **Agenda** – The regular business of Council shall be as follows unless altered by a vote of the Council: (See Minute Book 25, Page 411, dated March 28, 2000.) All matters to be placed on the agenda shall be submitted to the City Clerk no later than the Monday one week prior to a regularly scheduled meeting, together with all backup and supporting materials by 10:00 a.m. The City Clerk shall reschedule an item to the next meeting's agenda should any supporting documentation be missing from a submission. All Citizen Councilor Requests and supporting documentation shall be submitted no later than 5:00 p.m. on Monday one week prior to the regular scheduled meeting. Agenda meeting can be held on Tuesday <sup>at</sup> 10:00 a.m. one week prior to the regularly scheduled meeting. The City Clerk shall prepare and submit a final draft to the City Manager, City Attorney, Mayor and Vice Mayor for review no later than 10:00 a.m. on Wednesday prior to the regular scheduled meeting. Their review shall be completed no later than 5:00 p.m. on the same Wednesday. The final agenda and agenda packet shall be given to the City Clerk no later than 3:00 p.m. on the Thursday prior to the regular scheduled meeting. All material to be presented to Council at the Tuesday meeting that is not part of the actual

agenda packet (outside agency requests for funding, financial data supplied by our bond attorney, etc.) must be available to council with the publication of the agenda. Council will not vote on any material presented during the course of the meeting, this item will move to the next regular scheduled meeting. The agenda shall be posted and circulated on the Thursday immediately preceding the regularly scheduled meeting no later than 5 p.m. The order of the agenda may be amended by the majority vote of Council at any time.

Call to order, roll call and welcome to visitors

Amendments to Agenda Before Closed Session (by majority vote of Council)

Closed Meeting – (See Minute Book 24, Pages 474 & 475, 7/14/98.) (See Minute Book 25, Page 411, dated 3/28/00.)

Prayer and Pledge of Allegiance to the Flag of the United States of America

Amendments to Agenda After Closed Session (by majority vote of Council)

Consent Agenda (See Minute Book 25, Page 411, dated 3/28/00.)

City Council Meeting Minutes

Pending List

Information for Council Review

Personnel Change Report

Financial Report (regularly scheduled monthly meeting) (See Minute Book 25, Page 411, dated 3/28/00.)

Set Public Hearing(s) Set date(s) for routine Public Hearing(s) and list subject  
(See Minute Book 28, Page \_\_, 3/23/04)

Set Routine Work Sessions

Ordinances on second reading (See Minute Book 25, Page 411, dated 3/28/00.)

Information/Presentations (10 minute limit for each presentation)

Public Hearings

Communications from Citizens (See Minute Book 26, Page 211, dated March 27, 2001;  
See Minute Book 31, Page \_\_ dated January 22, 2008)

Unfinished Business

Regular Business:

Reports of Boards and Commissions (includes Constitutional Offices)

Reports of the City Manager

Reports of the City Attorney

Reports of the City Clerk



Reports of Council:

Committees

Councilor Requests (No one councilor shall have more than two such requests on a regular meeting agenda)

Presentations from Boards & Commissions (See Minute Book 28, page \_\_\_\_, dated February 3, 2004)

Council Communications

Adjournment

304. **Removing Items from Agenda** -- Once a Councilor places an item on the agenda it can only be removed by that Councilor prior to the adoption of the agenda. Once the agenda is adopted an item can only be removed by a two-thirds (2/3) vote of all members of Council.
305. **Non-agenda Items** -- Only matters appearing on the agenda and transmitted to each Councilor twelve hours or more before a meeting may be considered a matter of regular business. Other matters including resolutions, ordinances, motions, etc., may be introduced under Reports of Council set forth under regular business by any member of Council (including City Administration) but shall be deferred until the next meeting. A two-thirds (2/3) vote of all members may suspend this rule.
306. **Time Limit** - Meetings will have a three-hour time limit from beginning to end. Meetings beginning at 7:30 PM will adjourn at 10:30 PM. Stand-alone Work Sessions or Special Meetings beginning at 6:30 PM will adjourn at 9:30 PM. Any item not addressed within the three (3) hours would be continued to the next meeting, unless Council waives the rules to extend the meeting.

MISCELLANEOUS

401. **Motion stated by Chair** -- When a motion is made and seconded, it may be stated by the Chair before debate, but shall be stated by the Clerk before the vote. Any member may demand that it be reduced to writing.
402. **Motions -- Procedure** -- When a question is before Council, no motion shall be entertained except:
- A. To fix the time at which to adjourn

- B. To adjourn or recess
- C. To lay on the table
- D. The previous question
- E. To postpone to a certain time
- F. To refer
- G. To amend
- H. To postpone indefinitely

Such motion shall have precedent in the foregoing order. A roll call may be ordered at any time to ascertain the number of members present. In any case of precedent, motion to table or move the question is out of order until all Councilors have had an opportunity to speak at least once.

403. **Minutes; Recordings** – Meetings are electronically recorded. In accordance with Robert's Rules of Order, minutes contain a record of what was done at the meeting. A councilor may, however, direct through the mayor that the draft minutes of the meeting include a brief summary of the councilor's remarks regarding an agenda item. Such direction must be given at the same meeting in which the remarks were made and prior to the next agenda item.
404. **Clerk of Council** – The Clerk shall be the custodian of all the papers, correspondence, and records of the Council and shall keep official minutes of proceedings which shall record the motions and votes of Council and only such further detail of matters as may be approved by majority vote or requested publicly "for the record" which may be in writing and shall be attributed to the individual Council member making the request. In the absence of the Clerk, and/or the Backup City Clerk, the Mayor shall appoint a Clerk pro tem to keep the minutes and file same in the office of the City Clerk. Detailed debate shall not be recorded in minutes unless requested by Council at public session and with majority of Council's support. Minutes shall be mainly a record of what was done at the meeting, not what was said by the members (R.R.O.O. Page 389). Any question as to the contents of the minutes may be decided only by a majority of Council at the time the minutes are approved.
405. **Communications from Citizens and Others** – The communications from citizens portion of the regular-meeting agenda is limited to three minutes per speaker and 30 minutes total.



Speakers may contact the clerk in advance of, or sign up in person at, the meeting. They are called in the order they signed up, before others in the audience speak. Each person addressing council approaches the podium, and gives name and, if a Hopewell resident, ward number. No one may address council more than once per meeting, unless granted permission by the presiding officer. Speakers address council as a body, not individual councilors. Questions are asked of councilors and staff through the presiding officer. The presiding officer, subject to free-speech considerations as determined by the city attorney, has the authority to deem a matter inappropriate. Upon motion of any councilor, a majority of councilors present may allow the speaker to continue.

406. **Decorum** – Any person who makes personal, impertinent, abusive, or slanderous statements, or incites disorderly conduct in the council chamber may be reprimanded by the presiding officer, and removed from the meeting upon a majority vote of councilors present, excluding any councilor who is the subject of the motion.

407. **Suspension of Rules (Waive the Rules)** – The rules of Council may be suspended (waived) at any time by the vote of 2/3 of all Council members present.

408. **Safety** – The Mayor shall be responsible for the safety of all participants in a Council meeting and may adjourn a meeting at any time such safety may be in question. In the event of overcrowding, the meeting shall be adjourned (recessed) to a location more suitable or the item resulting in crowding be rescheduled. There shall be no smoking, eating, or drinking allowed during Council sessions; however, members of council and support staff shall be allowed, at the discretion of the Mayor, to have drinks during Council sessions.

409. **The “Virginia Freedom of Information Act”** – Section 2.2-3700, et seq., of the Code of Virginia, 1950, as amended, is hereby incorporated by reference. Whenever a closed meeting is contemplated, the City Attorney shall be advised of the proposed purpose. The City Attorney shall advise the presiding officer on the legality of a closed meeting. (See Minute Book 25, Page 411, dated March 28, 2000.)

410. **Standing Committees**  
A. Standing Committees

1. Standing committees shall be created only by resolution, which shall include the purpose and composition and shall be approved at a regular Council meeting.
2. Members shall be appointed by the Mayor, with the concurrence of members of Council. The Mayor may designate a chairman of the committee. The committee may elect a vice-chairman to serve in the absence of the chairperson.
3. Standing committees shall make periodic reports and recommendations to Council for their information and consideration. (See Minute Book 24, Pages 474 & 475, 7/14/98.)

B. Special Committees

1. Special committees are appointed by the Mayor, with the concurrence of Council for specific purposes.
2. Special committees shall terminate upon completion of the assigned task and report to Council.
3. Any special committee not terminated, shall be terminated on the date of the reorganization meeting at which a Mayor and Vice-Mayor are elected. (See Minute Book 24, Pages 474 & 475, July 14, 1998.)

411. **Work Session Policy** – As required, the City Council of the City of Hopewell may call a special “Council Work Session” beginning at 6:30 PM on the fourth Tuesday of each month. City Council requires that supporting documentation related to the subject material shall be provided to the City Clerk for Council review and perusal pursuant to Section 303, above, and made a part of the agenda packet. Work Sessions shall not be scheduled for the months of July, August, November and December, unless necessary.

Such work sessions are designed to give the Council adequate time to fully discuss and consider business affecting the City and are not considered to be a special meeting or public hearing. Items which would traditionally be considered at a work session are annual budget, service level changes, etc.

To preserve the purpose of the work session the following rules regarding the conduct of the sessions are proposed:

- Work sessions are open to the public, however public comment is appropriate only at the regular meeting where official action is to be taken and at established public hearings.



For Example: Council may hold several work sessions on the annual budget at which the session is not open for public comment or debate. However, in order to give the public adequate opportunity to address the budget, Council will consider approval at two (2) separate Council meetings.

- The City Manager will represent the City's administrative staff at the work session. With Council approval and at the City Manager's recommendation, staff and outside agencies may make presentations to the Council. Again, presentations do not include public comment.
- Unless specifically advertised as a *special meeting* of the City Council, no formal action will be taken by the City Council at a Work Session.
- The subject matter discussed by City Council will be limited to items presented on the agenda. City Council requires that supporting documentation related to the subject material shall be provided to the City Clerk for Council review and perusal, and made a part of the agenda packet.
- Presentation times will not be scheduled.

**412. Flowers and Donations**

A. Illness

Flowers or gift basket not to exceed \$75.00 to Council members in the hospital.

B. Death

1. Flowers, or in lieu of flowers, a contribution will be sent to a charitable organization in memory of a Council Member, not to exceed \$75.00.
2. Flowers, or in lieu of flowers, a contribution will be sent to a charitable organization in memory of a former member of Council (ten years), not to exceed \$75.00.

3. Flowers, or in lieu of flowers, a contribution will be sent to a charitable organization in memory of a spouse, child, mother, father, brother, or sister of Council Member, not to exceed \$75.00.

*NOTE: The above shall also apply to the City Manager, City Attorney, and City Clerk.*  
The funds for the above will be expended from City Council Budget – Miscellaneous Expenses.

413. **Disclosure** – Members of City Council shall file with the City Clerk on January 15, of each year the Statement of Economic Interest. Members may request assistance from the City Attorney or City Clerk in its preparation.

414. **Council Chamber/Conference Room, Use of** – (Approved June 27, 1995)

The following rules shall govern the use of the City of Hopewell Council Chamber and adjoining Conference Room (“Council Chamber”):

- A. The following uses are priority uses of Council Chamber. No other use shall be scheduled which conflicts with a priority use, and any use which is already scheduled shall be cancelled if Council Chamber is needed at the same time for a priority use.

1. Meeting of City Council, meetings of any committee of Council, or any public hearings or proceedings being conducted on behalf of Council.
2. Meetings or hearings conducted by any board, commissions, committee, department, bureau, agency, or office of City government.

- B. Permitted uses of Council Chamber shall be meetings or hearings of other governmental bodies or entities; or use by any other organizations that are not deemed prohibited users of Council Chamber.

- C. The following uses are **prohibited** uses of Council Chamber:



1. Fund raising of any type, whether by payment, by donation, by contribution, by the charging of admissions, by the sale of goods, or otherwise.
2. Use by any for-profit business or commercial enterprise or organization.
3. Use for any criminal or illegal purpose.
4. Use for any disorderly, improper, profane, obscene, indecent, lewd, pornographic, riotous, or immoral purpose; or use at which such conduct occurs, regardless of purpose.
5. Regular periodic meetings of any organization or group. A regular periodic meeting is one that occurs within six (6) months of the previous use.

D. Procedure for making reservations for permitted uses of Council Chamber:

1. Reservations for use of Council Chamber shall be made with the Clerk of the City Council.
2. Applications for use of Council Chamber must be submitted to the Clerk's office within fifteen (15) business days of the proposed activity. The application for the proposed activity must include the name of the organization, the date, time, duration, location and nature of the proposed activity, and the number of participants.
3. Reservations for use of Council Chamber shall include a fifty dollar (\$50.00) key/security deposit. The deposit shall be refunded with the return of the key (minus any damages to the Chamber/Conference rooms.)

E. All decisions about the use of Chambers shall be made by the Clerk of the City Council, subject to appeal to the City Council.

- F. Cancellations by users must be reported as soon as possible to the Clerk's office during normal business hours. No-shows or failure to cancel in a timely manner may result in denial of future use of the facilities.
- G. No eating, drinking (with the exception of water provided for the Council and the speaker's podium), smoking, or chewing of gum shall be permitted in the Council Chamber.
- H. No defacing (tacks, nails, tape, etc.) of the furniture, walls, or equipment is permitted in the Council Chamber, Council Conference Room, lobby, or toilets. Any damage due to user's conduct shall be deducted from security deposit. Permitted user shall be liable for any damage greater than security deposit.
- I. Council Chamber shall not be rearranged by anyone except with the permission of the City Clerk.
- J. The City Clerk shall be the sole keeper of the keys to the Council Chambers.
- K. Use of Council Chamber's equipment shall be with permission of the City Clerk.
- L. User's responsibilities:
  - 1. Ensure that no unauthorized third party shall be granted permission to use the facility, or any portion thereof, without prior approval of the City Clerk.
  - 2. Ensure that event participants shall not be restricted from participation for reasons of race, religion, color, creed, sex, age, national origin, or disability.
  - 3. Ensure that the representative specified in the application for permitted use is present throughout the scheduled event.
  - 4. Ensure that all rules and regulations for permitted use are followed.

5. Provide at least one adult chaperone for every group of fifteen (15) children.
6. Observe contracted time limits.
7. Leave the building and grounds in a clean, neat and orderly condition.

M. **Denial of Application/Cancellation of Contracts**

1. The City of Hopewell reserves the right to deny any application or cancel any permit when it deems such action to be in the best interest of the City.
2. Any violation of any rules or requirements set forth in this memorandum of permitted uses may be grounds for immediate expulsion and/or denial of future use of this facility. The applicant's signature on the application form constitutes an acknowledgement that the applicant will comply with all regulations as stated.
3. The City shall not be liable for any costs incurred and/or damages suffered by applicants as a result of denial of any application and/or cancellation of any contract for use of Council Chamber.

N. **Interpretation of regulations shall be the responsibility of the City Attorney.**

**415. Travel Policy** – (Revised October 25, 1994) – Same policy as in City's Personnel Policy Manual with the exception that the City Manager's approval for Council travel is not required.

Council/Council Committee scheduled group meals may be excluded from the per diem allowances of the Personnel Policy. (Revised 3/10/1995; Revised 7/1/07)

**City of Hopewell**  
**City Council Travel Policy**



- A. It shall be the policy of the city council of the City of Hopewell to encourage members of the city council to participate in state and national associations and continuing education programs that benefit the city.
- B. The city council shall encourage members of the governing body to attend the annual meetings of the Virginia Municipal League and the National League of Cities.
- C. Travel expenses under \$100 do not require Council approval, provided sufficient funds have been budgeted for such expenses.
- D. Travel reimbursements shall be paid in compliance with city travel policies for employees.
- E. Registration, lodging and commercial transportation for city council shall be arranged by the clerk of council or the city manager's office.
- F. Council travel beyond this policy shall be approved in advance by the governing body or by the mayor if council does not meet in time to meet registration deadlines.

(Passed May 13, 2008 [Minute Book 31, page \_\_\_\_])

**416. Land Use Requests** – (Passed September 12, 1989 [Minute Book 23, Page 114])

City Council will not act on any specific land use issue requested by a petitioner unless that petitioner or his representative is present to respond to Council's questions. Petitioner must prove that he/she has a vested interest in the property before consideration.

**417. Protocol For Open Committee Meetings**

- A. All meetings will be announced at least 72 hours prior to the meeting (*"whenever possible"*).
- B. Meeting notices will be:
  - (1) sent to the Hopewell News, Progress Index and Richmond Times Dispatch;



- (2) posted on the public bulletin board in the Municipal Building and other locations as used by the City for such notices.
  - (3) Listed on the City's web site;
  - (4) Sent by e-mail to anyone requesting FOIA (Freedom of Information Act) notice by e-mail;
  - (5) Sent by regular mail to anyone requesting notice by regular mail and providing the City with stamped, self-addressed envelopes for such notice;
  - (6) Sent to all Council members.
- C. All meetings will have minutes containing at least the time and date of the meeting, attendees, a listing of the items discussed, a listing of any action taken, and an attachment of any written materials shared at the meeting.
- D. Any Committee Meeting may, with proper motion, go into closed session to discuss specific materials under the same provisions governing closed sessions of the full Council.
- E. Any Committee Meeting may receive confidential materials under the same provisions governing the receipt of confidential materials received by the full Council.
- F. The agenda package of Council meetings will contain all committee meeting agenda, attachments, and minutes as available for receipt and file.
- G. This protocol will apply to City Council as well as to all boards and commissions appointed by and answering to City Council. *(See minutes dated August 13, 2002, Min. Book 27, page 169)*
- H. All Action items for consideration shall be supported by all available documentation used to justify Council's consideration and action. This is to include all recommendations of any Board, Commission, Outside Agency, or Jurisdiction. *(See minutes of February 10, 2004)*

418. Meals, Food, and/or Beverages for Council Meetings and Work Sessions of Council:

The following guidelines are established as Rules and Procedures regarding food for City Council members and/or staff in the Council Chambers or Council Conference Room.

- A. The City Clerk shall confer with the Mayor, who shall decide whether or not food is to be provided during any Regular City Council meeting, Special City Council meeting, or Work Session of Council.
1. With Mayor approval, food shall be made available at any Work Session scheduled at 5:30 PM, and/or immediately followed by a Closed Session at 6:30 PM, and immediately followed by a Regular City Council meeting at 7:30 PM.
  2. The City Clerk shall confer with the Mayor whether or not food is to be provided for any Special City Council meeting or Work Session scheduled as a *stand-alone* meeting, which is not followed or preceded by a Regular City Council meeting.
  3. Any all-day Work Session, Council Advance, or Special Meeting of Council shall include meals. With some minor modifications City Council's Rules and Procedures shall be similar to the City's Travel Policy in the City's Policies and Procedures Manual.
  4. Any Special City Council Meeting or Work Session that is anticipated to last for less than two (2) hours shall not require a meal.
- B. With Mayor approval, food shall be made available for the seven members of City Council, City Manager, City Attorney, and City Clerk. Food shall also be made available for City staff who may be required to attend said Regular City Council meeting, Special City Council meeting, or Work Session.

1. Food shall be defined as a light meal such as a salad, sandwich, cheese and crackers, and/or vegetables and dip, which will be made available in the City Council Conference Room.
2. The City Clerk shall maintain a supply of bottled water and soft drinks in the refrigerator located in the City Council Conference Room. These may be used at the discretion of City Council.

C. The cost of such meals shall be kept within reasonable budgetary constraints. Cost of said meals shall be applied to City Council's Miscellaneous Budget.

**419. Presentations by Boards and Commissions:**

Each of the City's boards, commissions, authorities, and committees of Council that lack committee members and do not have a full membership shall periodically provide a brief presentation to City Council. Each presentation shall be limited to a total of ten (10) minutes. The purpose of the presentation is to apprise City Council of the recently completed projects, current and future activities of the association. (See City Council minutes dated 11/9/04, Book \_\_\_\_, Page \_\_\_\_) (See City Council minutes dated 1/12/08, Book 30, Page \_\_\_\_)

**420. Salaries of Council Employees into Annual Budget Document**

This section covers the City Manager, City Attorney and City Clerk, and shall be part of Council Rules and Procedures. The annual cost of living adjustments (COLAs) will be established at the same percentage as employees covered by the last adopted Pay and Compensation Study. COLAs will be effective at the beginning of each fiscal year (July 1). Merit increases will be established based on a yearly performance review. The review and pay adjustment dollar amounts will be completed in May. Figures for individual pay adjustments will be forwarded to the Finance Department no later than June 15 and become effective July 1. (See City Council minutes dated 11/8/05, Book 29, page \_\_\_\_)

**421. Council Rules of Council Conduct**

City of Hopewell



**Council Rules of Conduct**  
(Approved December 18, 2007)

Council members agree to represent the public interest and work with others to improve the quality of life for Hopewell citizens and visitors. It is further acknowledged that residents and businesses of Hopewell are entitled to have fair, ethical, and accountable local government. Such a government requires that public officials:

- comply with both the letter and the spirit of the laws and policies affecting operations of the government;
- be independent, impartial, and fair in their judgment and actions;
- use their public office for the public good, not for personal gain;
- conduct public deliberations and processes openly, (unless legally confidential) in an atmosphere of respect and civility; and,
- act in a manner that supports the expectations of their constituents and enhances public confidence in the system of local government supporting this Code. Council confirms its commitment to serve public interest with fairness and integrity.

**1. Act in the Public Interest**

Recognizing that stewardship of the public interest must be their primary concern, Council members shall work for the common good of the people of Hopewell and not for any private or personal interest, and they will endeavor to treat all persons, claims, and transactions in a fair and equitable manner.

**2. Respect for Process**

Council member duties shall be performed in accordance with the processes and rules of order established by the City Council.

**3. Conduct of Public Meetings**

City Council members shall inform themselves of public issues, listen attentively to public discussions before the body, and focus on the business at hand.

**4. Policy Role of Members**



Council members shall respect and adhere to the Council-Manager structure of Hopewell City government as provided in State law and the City Charter.

5. **Positive Work Environment**

City Council members shall support the maintenance of a positive and constructive environment for residents, businesses, and city employees.

6. **Conduct of Members**

City Council members shall refrain from abusive conduct, personal charges, or verbal attacks upon the character or motives of other members of the City Council, boards, commissions, committees, staff, or the public. City Council members agree to be respectful of other Council members, city staff, and the public, and shall not degrade them in oral or written communication.

7. **Comply with the Law**

City Council members shall comply with the laws of the nation, the Commonwealth of Virginia, and the City of Hopewell in the performance of their public duties. These laws include, but are not limited to: the United States and Virginia constitutions; the Hopewell City Charter; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government; and city ordinances and policies.

8. **Coordination with City Staff**

Appropriate city staff should be involved when City Council members meet with officials from other agencies and jurisdictions to ensure proper staff support as needed and to keep staff informed. City Council members shall coordinate requests for city staff participation in these and other activities with Council-appointed staff only. City Council shall not contact other appointed staff for matters other than citizen request for service.

9. **Use of Public Resources**

Public resources not available to the general public (e.g., city staff time, equipment, supplies or facilities) shall not be used by City Council members for private gain or personal purposes. City Council shall review and approve payments by members of Council without proper documentation prior to payment.

10. **Decisions Based on Merit**

City Council decisions shall be based upon the merits and substance of the matter at hand.

11. **Communication**

It is the responsibility of City Council members to publicly share substantive information that is relevant to a matter under consideration that they have received from sources outside of the public decision-making process with all other Council members.

12. **Advocacy**

To the best of their ability, City Council members shall represent the official policies and positions of the City Council. When presenting their personal opinions or positions, members shall explicitly state that they do not represent the City Council or the City. The Mayor or council-appointed staff shall present the city position on various issues to communities, state, and federal representatives unless otherwise directed by the City Council. The city shall disseminate only those positions.

13. **Confidential Information**

City Council members shall respect and preserve the confidentiality of information provided to them concerning the confidential matters of the Council. They shall neither disclose confidential information without proper legal authorization nor use such information to advance their personal, financial, or private interests.

**14. Gifts and Favors**

City Council members shall not take advantage of services or opportunities for personal gain by virtue of their public offices, that are not available to the public in general. They shall refrain from accepting gifts, favors, or promises of future benefits that might compromise their independence of judgment or action, or give the appearance of compromising their independence.

**15. Representation of Private Interests**

In keeping with their role as stewards of the public trust, City Council members shall not appear on behalf of the private interests of a third-party before the City Council or any board, commission, committee, or proceeding of the City.

**16. Improper Influence**

City Council members shall refrain from using their position to improperly influence the deliberations or decisions of city staff, boards, commissions, or committees.

**17. Disclosure of Corruption**

All city officials shall take an oath upon assuming office, pledging to uphold the laws of the city, the commonwealth and the Federal Government. As part of this oath, officials commit to disclosing to the appropriate authorities and/or to the City Council any behavior or activity that may qualify as corruption, abuse, fraud, bribery, or other violation of the law.

**18. Implementation**

Ethics standards shall be included in the regular orientations for City Council candidates. Council members entering office shall sign a statement affirming that they have read and understood the City of Hopewell's City Council Rules of Conduct.

**19. Compliance and Enforcement**

City Council members themselves have the primary responsibility to assure that the ethical standards are understood, met, and that the public can continue to have full confidence in the integrity of City government.

422. Proclamation, Certificate, and Letterhead Guidelines – Council as a body issues proclamations, certificates of recognition or condolence, and congratulatory letters, in conformance with the attached guidelines. Such proclamations, certificates, and letters are approved and signed by the mayor or, in the absence or disability of the mayor, the vice mayor (Charter IV.5). For personal communications or statements, an individual councilor may use letterhead incorporating the city logo and indicating they are "from the desk of" the councilor. No communication or statement issued by an individual councilor is or may be deemed an official act of the council, the city of Hopewell, or its agencies.

I affirm that I have read and understand the City of Hopewell City Council Rules of Conduct.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



ADJOURNMENT