



AGENDA -- CITY COUNCIL CITY OF MARTINSVILLE, VIRGINIA

4:00 pm Executive Session &
6:00 pm Work Session & Briefing
New College Institute - Gardner Board Room

7:00 pm Regular Session
Council Chambers, Municipal Building

Tuesday, October 8th, 2024

4:00 pm - Executive Session

New College Institute - Gardner Board Room

Items to be considered in Closed Session, in accordance with the Code of Virginia, Title 2.2, Chapter 37—Freedom of Information Act, Section 2.2-3711(A)—Closed Meetings, the following:

- a. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, concerning Board and Commission interviews and a meeting with staff members.
- b. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.
- c. Discussion or Consultation with legal counsel and briefings by staff members, attorneys or consultants pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by such counsel, as authorized by Subsection 7.



AGENDA -- CITY COUNCIL CITY OF MARTINSVILLE, VIRGINIA

6:00 pm - Work Session & Briefing

New College Institute - Gardner Board Room

1. Discuss Consent Agenda Items
 - a. Consider Approval of Minutes: September 23rd and 24th Meeting Minutes
2. Briefings and Presentations
 - a. Amphitheater Presentation by Kate Keller and Catherine Van Noy
 - b. Game Room Presentation by Mark Hardison

7:00 pm - Regular Session

City Council Chambers

1. Call to Order
2. Pledge to the American Flag
3. Invocation
4. Proclamations and Presentations
5. Consent Agenda
 - a. Consider Approval of Minutes: September 23rd and 24th Meeting Minutes
6. Public Hearing
 - a. Second Reading: Request for Right of Way Abandonment – 406 James Street
7. Regular Agenda or New Business
8. Take any action necessary as a result of the Executive Session.



AGENDA -- CITY COUNCIL CITY OF MARTINSVILLE, VIRGINIA

9. Communications from Visitors / Business from the Floor

A. The public comment portion of the Council meeting provides citizens with the opportunity to discuss matters relevant to the operation of the City, which are not listed on the printed agenda. Citizens who wish to participate in a meeting's public comment period may do so by emailing their comments to Peyton Nibblett, Deputy Clerk of Council, at pnibblett@martinsvilleva.gov, calling in their comments to 276-403-5182, faxing comments to 276-403-5280, or mailing comments to the City of Martinsville, attn.: Peyton Nibblett, P.O. Box 1112, Martinsville, VA 24114. Comments must be received by 12:00 noon on August 12, 2024. Citizens may also request to speak at the Council meeting in the same manner. Comments, or a request to speak, must be received by noon the day before a Council meeting for consideration by the Council at the meeting. Any person submitting comments or requesting to speak must identify themselves by name and address, including zip code, limit their remarks to 3 minutes or less (as read aloud), address a topic of City business, and refrain from making any personal references or accusations of a factually false and/or malicious nature. Priority for comments is given to City residents, taxpayers, and business owners. Speakers may not yield time. Groups of speakers on the same topic must designate a single representative. Comments violating these rules may not be presented at the Council meeting. Any speaker violating these rules may be removed from the podium or from the Council Chamber. This policy does not apply to public hearings, at which any citizen of Martinsville may appear and speak on the subject of the public hearing.

10. Comments by Members of City Council

11. Communications

- a. City Manager
- b. City Attorney
- c. Public Information Officer

12. Adjournment

MEETINGS: October 8th, 2024

TITLE: September 23rd, September 24th, 2024 Minutes

STAFF RESPONSIBLE: Peyton Nibblett

STAFF TITLE: Deputy Clerk of Council

BACKGROUND/HISTORY

Minutes must be presented before Council and approved before being added to Agendas and City Records.

POLICY EXPLANATION

Must be approved by Council before being added to City Records.

FISCAL IMPACT/FUNDING SOURCE

N/A

AVAILABLE BUDGET
N/A

PURCHASE AMOUNT
N/A

ACTION REQUESTED/ALTERNATIVES:

1. Approve
2. Do not Approve
3. Other Action as directed by City Council

ATTACHMENTS:

- September 23rd and 24th Meeting Minutes

September 23, 2024, Council Meeting

A Closed meeting of the City of Martinsville, Virginia's council, was held on September 23, 2024, at 5 PM in Conference Room 208, Martinsville Municipal Building, Martinsville, VA. Council Members participating included Kathy Lawson, Aaron Rawls, Tammy Pearson, Lawrence Mitchell, and Mayor Jones. Staff present included Chief Operating Officer Edena Reese-Atmore, City Attorney Designee and Interim Managing Director of Development Eric Payne, and Assistant to City Manager Peyton Nibblett.

Mayor Jones called the meeting to order and advised Council would go into Closed Session beginning at 5:00PM. In accordance with the Code of Virginia, Title 2.2 Chapter 37, Freedom of Information Act and upon a motion by Council Member Lawson and seconded by Council Member Pearson with the following 4-0 recorded vote: Council Member Pearson, aye; Mayor Jones, aye; Council Member Mitchell, aye; and Council Member Lawson, aye. Council convened in Closed Session to discuss the following matters: Chapter 37—Freedom of Information Act, Section 2.2-3711(A) Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, concerning Board and Commission interviews and a meeting with staff members.

There being no further business, Councilor Pearson motioned to adjourn and Councilor Lawson seconded. The meeting was adjourned at 7pm.

September 24th, 2024

Executive Session

A Closed meeting of the City of Martinsville, Virginia's council, was held on September 24, 2024, at 4 PM in Conference Room 208, Martinsville Municipal Building, Martinsville, VA. Council Members participating included Kathy Lawson, Aaron Rawls, Tammy Pearson, Lawrence Mitchell, and Mayor Jones. Staff present included City Manager, Aretha R. Ferrell-Benavides and Deputy City Clerk, Peyton Nibblett.

Mayor Jones called the meeting to order and advised Council would go into Closed Session beginning at 5:00PM. In accordance with the Code of Virginia, Title 2.2 Chapter 37, Freedom of Information Act and upon a motion by Council Member Lawson and seconded by Council Member Pearson with the following 4-0 recorded vote: Council Member Pearson, aye; Mayor Jones, aye; Council Member Mitchell, aye; and Council Member Lawson, aye. Council convened in Closed Session to discuss the following matters: Chapter 37—Freedom of Information Act, Section 2.2-3711(A)

- A. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, concerning Board and Commission interviews and a meeting with staff members.
- B. Discussion or consideration of information subject to the exclusion in subdivision 3 of § 2.2-3705.6 related to economic development. Proprietary information, voluntarily provided by private business pursuant to a promise of confidentiality from a public body, used by the public body for business, trade, and tourism development or retention; and memoranda, working papers, or other information related to businesses that are considering locating or expanding in Virginia, prepared by a public body, where competition or bargaining is involved and where disclosure of such information would adversely affect the financial interest of the public body.

There being no further business, Councilor Pearson motioned to adjourn and Councilor Lawson seconded. The meeting was adjourned at 7pm.

Regular Session

City Council Chambers

1. Call to Order
 - a. Mayor Jones called the meeting to order at 7pm in Council Chambers in the Martinsville Municipal Building on September 24th, 2024.
2. Pledge to the American Flag
 - a. The Pledge to the American Flag was led by Mayor Jones
3. Invocation
 - a. Invocation was led by Bishop Michael Penn
4. Proclamations and Presentations
 - a. Mayor LC Jones Presented a Proclamation Recognizing the Accomplishment of Ayla Nunnehi Gordon - Local Olympic World Champion
5. Consent Agenda
6. Public Hearing
 - A. First Reading: Request for Right of Way Abandonment – 406 James Street
 - a. Presented by Interim Managing Director of Development Eric Payne
7. Regular Agenda or New Business
 - A. Discuss and Consider Solar Site Agreement and Potential Solar Site Ownership
 - a. Presented by Electric Director Durwin Joyce
 - b. Motion to Approve made by Vice Mayor Rawls with addendum to dependent upon staff circling back with any last minute discoveries with a Second by Councilor Lawson
 - i. Approved with the following vote: Mitchell, aye; Lawson, aye; Pearson, aye; Rawls, aye; Jones, aye.
 - B. Discuss and Consider Grant for Sewer and Water Resources Project Funding
 - a. Presented by Director of Water Resources Mandy Muse
 - b. Motion to Approve made by Councilor Lawson and Seconded by Councilor Pearson
 - i. Approved with the following vote: Mitchell, aye; Lawson, aye; Pearson, aye; Rawls, aye; Jones, aye.
 - C. Discuss and Consider Grant for MiNet
 - a. Presented by MiNet Director Mike Saffidi
 - b. Motion to Approve made by Councilor Pearson and Seconded by Councilor Lawson
 - i. Approved with the following vote: Mitchell, aye; Lawson, aye; Pearson, aye; Rawls, aye; Jones, aye.

D. Consider Approval of Minutes

- a. September 10th, 2024; September 18th, 2024
- b. Presented by Deputy Clerk of Council Peyton Nibblett
- c. Motion to Approve made by Councilor Lawson and Seconded by Councilor Mitchell
 - i. Approved with the following vote: Mitchell, aye; Lawson, aye; Pearson, aye; Rawls, aye; Jones, aye.

8. Take any action necessary as a result of the Executive Session.

A. Boards and Commissions Applicants, Appointed

Martinsville School Board Appointee

- a. Anthony Jones with a partial term of 6/30/2026
- b. Motion to Approve made by Councilor Lawson and Seconded by Mitchell
 - i. Approved with the following vote: Mitchell, aye; Lawson, aye; Pearson, opposed; Rawls, opposed; Jones, aye.

Henry-County Martinsville Joint Social Service Board Appointee

- a. Richard Hrris with a term expiration of 6/14/2028
- b. Motion to Approve made by Councilor Lawson and Seconded by Mitchell
 - i. Approved with the following vote: Mitchell, aye; Lawson, aye; Pearson, aye; Rawls, aye; Jones, aye.

Economic Development Authority Appointee

- a. James Frith with a term expiration of 9/26/2025
- b. Marus Stone reappointment with a term expiration of 9/26/2028
- c. Ronnie Fultz with a term expiration of 9/26/2028
- d. Motion to Approve made by Vice Mayor Rawls and Seconded by Councilor Lawson
 - i. Approved with the following vote: Mitchell, aye; Lawson, aye; Pearson, aye; Rawls, aye; Jones, aye.

Arts and Cultural Committee Appointees

- a. Tony Williams with a term expiration of 6/14/2028
- b. Charles Hill with a term expiration of 6/14/2026
- c. Motion to Approve made by Councilor Pearson and Seconded by Councilor Lawson
 - i. Approved with the following vote: Mitchell, aye; Lawson, aye; Pearson, aye; Rawls, aye; Jones, aye.

Planning Commission Appointee

- a. Damian Wainright with a term expiration of 6/30/2028
- b. Motion to Approve made by Councilor Lawson and Seconded by Councilor Mitchell

- i. Approved with the following vote: Mitchell, aye; Lawson, aye; Pearson, aye; Rawls, aye; Jones, aye.

9. Communications from Visitors / Business from the Floor

- A. John Mayhan, 755 Forks Road
- B. Rico Johnson, Korna Kitchen – 37 E Main St
- C. Debby Youngman, Holy Trinity Lutheran Church – 1527 E Church Street

10. Comments by Members of City Council

11. Communications

- A. City Manager
- B. City Attorney

12. Adjournment

- A. Councilor Lawson made the motion to adjourn at 8:30pm.

MEETINGS: October 8th, 2024

TITLE: Amphitheatre Planning

STAFF RESPONSIBLE Kate Keller and Catherine Van Noy – Citizens

BACKGROUND/HISTORY

Briefing to advance a conceptual and feasibility study for a new amphitheater located in 8.8-acre parcel currently owned by the Lester Group in alignment with The Uptown Martinsville Revitalization Plan from February 2010, The Uptown Community Vision Plan from June 2022, and the MHC Tourism Plan.

POLICY EXPLANATION

N/A

FISCAL IMPACT/FUNDING SOURCE

N / A

AVAILABLE BUDGET
N/A

PURCHASE AMOUNT
N/A

ACTION REQUESTED/ALTERNATIVES:

ATTACHMENTS:

- Amphitheatre Planning PowerPoint



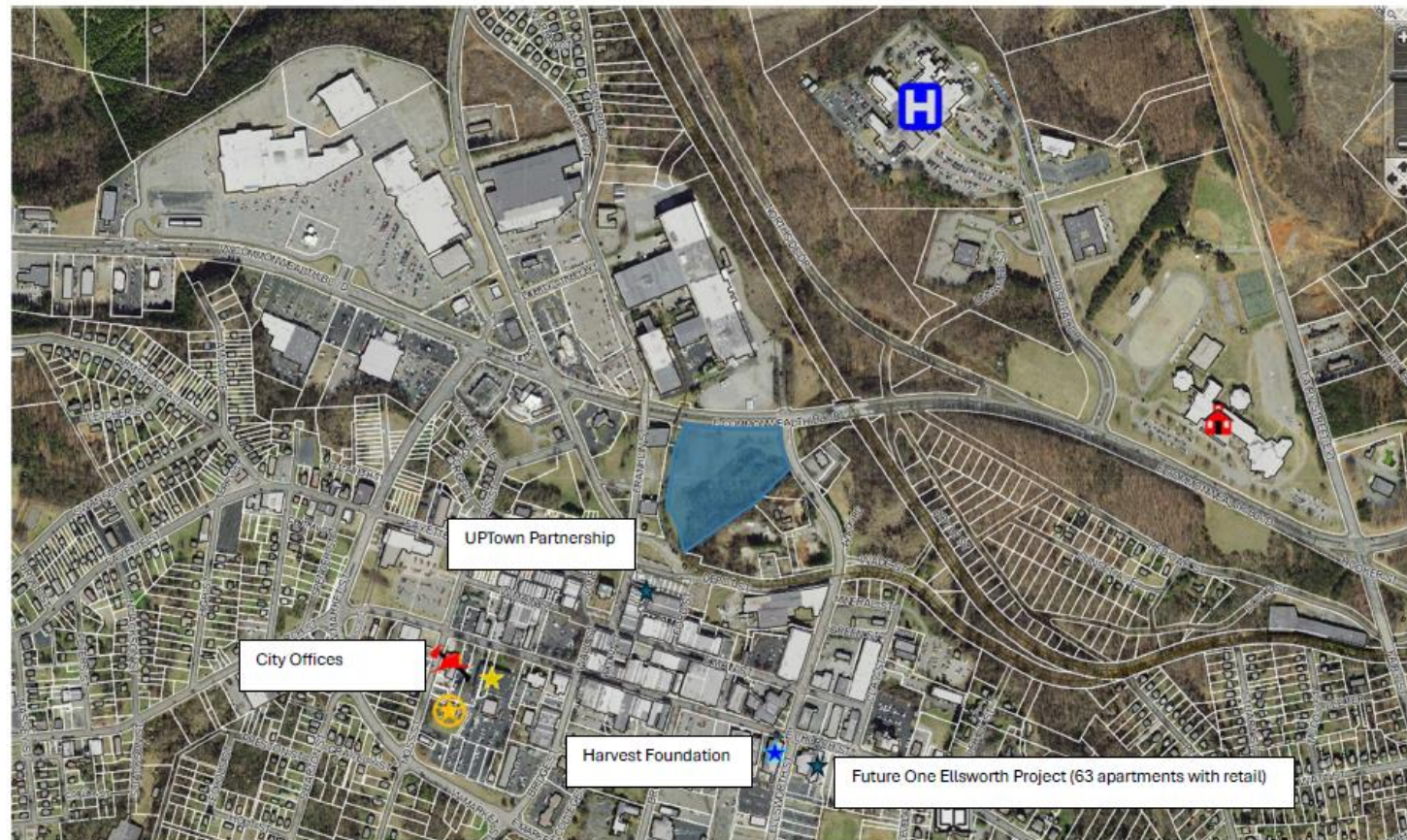
Amphitheatre Planning

2024

Purpose

Advance a conceptual and feasibility study for a new amphitheater located in 8.8-acre parcel currently owned by the Lester Group.

MAP

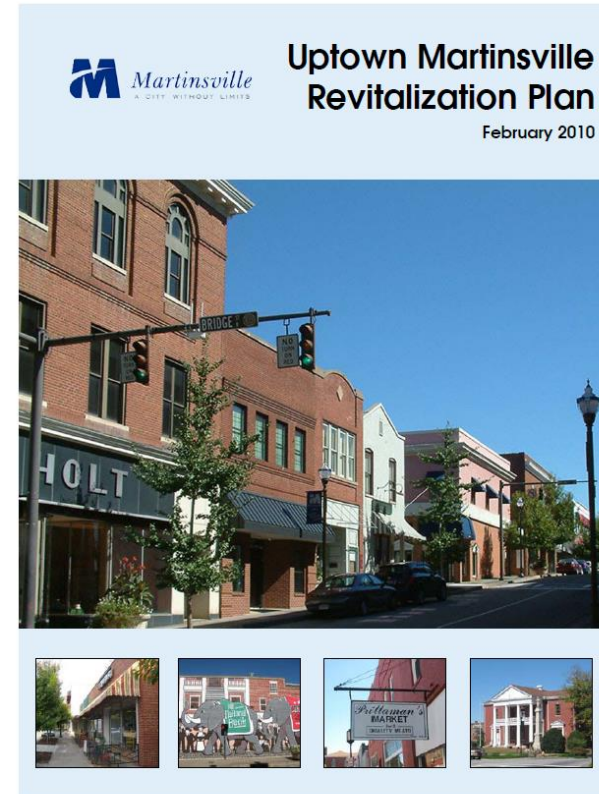


Timing

- The vision for a community gathering space in the Martinsville Central Business District has been under development for years.
- Planning has recently accelerated after The Lester Group, the property owner, indicated a potential willingness to donate the 8.8-acre site that is ideally suited for an outdoor community amphitheater and affiliated greenspace.
- No space dedicated to music events or artistic performances in City since the Rives Theatre fire

Plan Alignment

- The Uptown Martinsville Revitalization Plan February 2010 mentions the need for an amphitheater within the downtown to “draw people from all over the region and potentially from the Martinsville Speedway crowd.”



Plan Alignment

- The Uptown Community Vision Plan Recommendation, June 2022, was developed from community engagement sessions conducted that year. The development of an amphitheater (along with the improvement of facades) received the **top number of “Fully Supportive” votes** when evaluated among possible design improvements for Uptown.



UPTOWN COMMUNITY VISION PLAN RECOMMENDATIONS PUBLIC FEEDBACK FROM COMMUNITY ENGAGEMENT SESSIONS:

Red, Yellow Green Exercise:

Community members were requested to place red, yellow, green stickers on post-it sheets that were placed around the meeting space listing various recommendations taken directly from the Community Vision Plan recommendations document provided by the consultants.

Green (Fully Supportive), Yellow (No Strong Feelings One Way or Another), and Red (Not Supportive)

ECONOMIC VITALITY	GREEN	YELLOW	RED
SMALL SCALE MANUFACTURING	22	0	0
BUSINESS ATTRACTION	36	0	0
ACCESS TO CAPITAL MECHANISMS	22	0	0
DESIGN			
DESIGN STREETS FOR PEOPLE	46	0	0
UPTOWN DOG PARK	31	8	4
POCKET PARK UPGRADES	17	13	7
FACADE IMPROVEMENTS	49	0	0
CLOSURE OF WALNUT STREET	16	18	7
UPTOWN AMPHITHEATER	49	0	0
PROMOTIONS			
SCULPTURAL TRAIL / MURAL PROJECTS	22	8	0
INTERPRETIVE HISTORICAL SIGNAGE	24	9	0
ADDITIONAL PERFORMANCE OPPS	24	4	0

Plan Alignment

- Aligns with the MHC Tourism Plan

“Build a brand around the active lifestyle found throughout Henry County with Martinsville’s Uptown as the hub of experience. A mix of culture, entertainment, outdoors activities and dining will inspire visitation.”

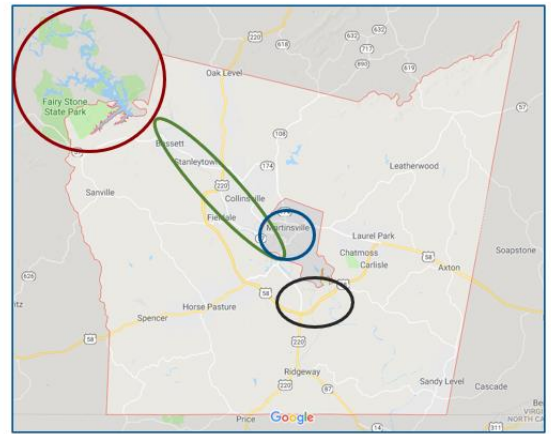
Destination Plan 2023

A resident and visitor focused active-lifestyle destination


HENRY COUNTY VIRGINIA

Martinsville leaders will focus on the marketing and development of the geographic areas that deliver on the active-lifestyle experience for residents and visitors alike.

- Build a brand around the active lifestyle found throughout Henry County with Martinsville's uptown as the hub of the experience.** A mix of culture, entertainment, outdoors activities and dining will inspire visitation.
- Maintain the highest skilled marketing team to promote the destination.**
 - Promote overnight primarily and day-trip will follow
 - Segmented focus – leisure, conference/meetings, sports, group tour
- Drive increased in-market spending**
 - Visitor information services – dynamic visitor center
 - Mobile planning app/mobile site
- Market experiences that tie the active outdoors lifestyle to cultural and heritage experiences.**
 - People who are active by day will be more active by night
 - Unique attractors – uptown lodging, shopping and dining
 - Wineries, breweries, distilleries, cideries
 - Museums, galleries, events – i.e., Art crawls, Community Food Table, etc.
 - Hiking, cycling, kayaking, paddleboarding, fishing
- Master Planning** – partner with City and other economic development entities to develop a destination master plan that addresses the effective mobility of visitors and connectivity to activities including signage/wayfinding
- Retain or assign one organization to focus on the development of Martinsville's uptown.** The most successful downtown/uptowns are guided by an official Main Street program.
- Core visitor focus areas based on active lifestyle experiences**
 - Martinsville's uptown (live, work, play = active)**
 - Smith River Trail System corridor communities (river and trails)**
 - Philpott Lake Recreation Area (abundant outdoor experiences)**
 - Speedway and team sports (special events & unique experiences)**



3

v.1 August 2019

Purpose

- The undeveloped land sits in an area that could also be part of a planned Martinsville Entertainment District.
- Adjacent to the UP footprint and the Uptown Spur Trail, a .63-mile connector to the 11-mile Dick & Willie Passage Trail, the topography of the land lends itself to the proposed use.



Purpose

- An adjacent building has been studied for potential conversion to a hotel and conference center, also contributing to the proposed Entertainment District.



Former American Furniture Plant 10
51 Lester Street Feasibility Study



CJMW ARCHITECTURE

City of Martinsville • Martinsville, VA
December 5, 2022

Need

The historic Rives Theater, the primary performance venue in Martinsville since the late 1920s, was destroyed by fire in 2019.

The proposed planning work and feasibility study will engage the performing arts community to ensure the final design meets high standards as defined by specialists in the field.

The study will also consider long-term sustainability including revenue generation through ticket sales and evaluate the appropriate capacity based on a regional market analysis.

Proposed Next Steps

- Convene an Advisory Committee
- Procure a planning firm to complete a feasibility study
 - \$50K could be secured through a \$25K Harvest grant with a \$25K City Match. EPA Brownfield funds could be applied here. These funds were used to complete a Phase 1 and Phase 2 ESA on the property.
- Study would help advance toward final design and support construction grant applications

Questions?

MEETINGS: October 8th, 2024

TITLE: Martinsville Gaming Project

STAFF RESPONSIBLE Mark Henderson – Citizen

BACKGROUND/HISTORY

Briefing on an innovative, recreational venue that enhances community engagement and offers diverse, skill-based gaming options. Request for Council Consideration.

POLICY EXPLANATION

N/A

FISCAL IMPACT/FUNDING SOURCE

N/A

AVAILABLE BUDGET	PURCHASE AMOUNT
N/A	N/A

ACTION REQUESTED/ALTERNATIVES:

ATTACHMENTS:

- Martinsville Gaming Project PowerPoint



INNOVATING LOCAL RECREATION

THE VISION FOR A NEW SKILLED GAME
ROOM IN MARTINSVILLE

INTRODUCTION

- Seeking City Council's approval to create an innovative recreational venue that enhances community engagement and offers diverse skill-based gaming options.

Presented by: Mark Hardison



IMPACTFUL STATISTICS



The U.S. gaming industry contributes approximately \$329 billion to the national economy annually. This includes business sales and other economic activities generated by the gaming sector ([American Gaming Association](#)).



The gaming industry generates significant tax revenues, contributing about \$53 billion to federal, state, and local governments each year. This includes approximately \$13.5 billion in gaming-specific taxes, which can be reinvested into community projects and public services ([American Gaming Association](#)).

WHAT ABOUT VIRGINIA?

VALUE ADDED

➤ Economic Contribution

Revenue Generation:

In 2021, skill-based games contributed **\$130 million** in tax revenue to Virginia, with \$74 million allocated to the

COVID-19 Relief Fund.

(Source: [GlobeNewswire](#))

➤ Support for Small business

Skill games helped small businesses such as **convenience stores, restaurants, and gas stations** during by providing much-needed supplementary income.

(Source: [GlobeNewswire](#))

➤ Revenue

Proposed 50/50 split with 50% of revenues going to city of Martinsville.



SUPPORT LOCAL

COMMUNITY BENEFITS

- **Enhanced Recreational Options:** The new skilled game room will provide a unique recreational venue, offering a diverse range of skill-based games that cater to various legal age groups and interests.
- **Safe and Inclusive Environment:** Designed to be a safe, inclusive space, the game room will promote social interaction, healthy competition, and community bonding.
- **Sustainable Operations:** Implement eco-friendly practices within the game room, such as recycling programs and energy-efficient equipment.



ECONOMIC IMPACT

- **Job Creation:** The establishment of the game room will create job opportunities for residents from construction to ongoing operational roles.
- **Increased Local Revenue:** Increased business activity and higher foot traffic can lead to higher tax revenues, which can be reinvested into public services and infrastructure.
- **Tourism Boost:** The game room is expected to attract visitors from both within and outside Martinsville City, leading to increased spending in the local economy for nearby businesses and services.



COMPLIANCE & REGULATIONS

- **Zoning and Land Use:** The proposed location for the game room complies with all zoning and land use regulations, ensuring a smooth approval process and minimal disruption to the surrounding area.
- **Safety Standards:** The facility will adhere to all safety regulations and guidelines ensuring a secure environment for all patrons. These include fire safety, building codes, and accessibility standards.
- **Noise and Traffic Management:** Implementing measures to minimize noise pollution and traffic congestion, ensuring that the game room does not negatively impact the surrounding neighborhood.
- **Security Measures:** Detailed plans for robust security measures, including surveillance, staff training, and cooperation with local law enforcement to maintain a safe environment.





THANK YOU

MARK.HARDISON@ICLOUD.COM

IMAGES PROVIDED BY STOCK SOURCES AND MARTINSVILLE CITY FACEBOOK PAGE.

MEETINGS: September 24, 2024

TITLE: Second Reading: Request for Right of Way Abandonment – 406 James Street

STAFF RESPONSIBLE Eric Payne, Interim Managing Director of Development

BACKGROUND/HISTORY

Application of Derek Brown, Applicant and Owner, requesting the city's abandonment of an approximate 2500 square foot section of the right of way at property located at 406 James Street.

The applicant/owner discussed with the Building Official/Zoning Administrator, Kris Bridges, the possibility of constructing an addition to the existing structure beginning in December of 2023. Mr. Bridges instructed the owner that a lot line adjustment would be necessary in order to meet the required setbacks for the area. The owner agreed to adjust the lot lines and building permits were issued for the addition and construction began.

The owner secured Chris Waller to complete the survey and lot line adjustment in January of 2024. Once the survey was completed, it was determined that a portion of the addition was actually located in the right of way owned by the city. The surveyor informed the owner that a right of way abandonment of approximately 2,500 square feet in size would be required by the city.

Once it was determined that a right of way abandonment would be necessary, the owner was informed by city staff and the application was completed by the owner. The owner and contractor were cautioned that continued construction of the addition would be risky since approval of the right of way abandonment is not guaranteed.

The applicant owns all of the properties adjacent to 406 James Street. There were two (2) property owners in the vicinity that were notified of the request out of courtesy. Staff did not receive any comments or concerns from these property owners.

POLICY EXPLANATION

The abandonment of streets, alleyways, right of ways or easements are a request that require review and approval of the Planning Commission and City Council, as it will amend the city's adopted Comprehensive Plan.

The Planning Commission held a public hearing on August 21, 2024 where no public comments were received. The Commission recommended approval of the Right of Way Abandonment at 406 James Street by a vote of 4 – 0.

FISCAL IMPACT/FUNDING SOURCE

NA

AVAILABLE BUDGET
NA

PURCHASE AMOUNT
NA

ACTION REQUESTED/ALTERNATIVES:

1. City Council Approve _____
2. Do not Approve _____
3. Other Action as directed by City Council

ATTACHMENTS:

- Planning Commission Staff Report
- Right of Way Abandonment Application
- Current Survey
- Vicinity Map
- GIS Property Card



Date: August 13, 2024

To: Martinsville Planning Commission

CC: Keith Holland, Director of Community Development
Kris Bridges, Zoning Administrator

From: Hannah L. Powell, Community Development Specialist

RE: **Public Hearing:** Application for Right of Way Abandonment – 406 James Street

SUBJECT:

REQUEST for RIGHT OF WAY ABANDONMENT- Application of Derek Brown, Applicant and Owner, requesting the city's abandonment of an approximate 2500 square foot section of the right of way at property located at 406 James Street. The abandonment of streets, alleyways, right of ways or easements are a request that require review and approval of the Planning Commission and City Council, as it will amend the city's adopted Comprehensive Plan.

BACKGROUND:

The property located at 406 James Street was purchased by Derek M. Brown in October of 2021. The property consists of 0.596 acres and includes a single-family residential structure that is approximately 768 square feet in size and was built in 1960. The property also includes several out buildings and prefabricated carports.

The applicant/owner discussed with the Building Official/Zoning Administrator, Kris Bridges, the possibility of constructing an addition to the existing structure beginning in December of 2023. Mr. Bridges instructed the owner that a lot line adjustment would be necessary in order to meet the required setbacks for the area. The owner agreed to adjust the lot lines and building permits were issued for the addition and construction began.

The owner secured Chris Waller to complete the survey and lot line adjustment in January of 2024. Once the survey was completed, it was determined that a portion of the addition was actually located in the right of way owned by the city. The surveyor informed the owner that a right of way abandonment of approximately 2,500 square feet in size would be required by the city.

Once it was determined that a right of way abandonment would be necessary, the owner was informed by city staff and the application was completed by the owner. The owner and contractor were cautioned that continued construction of the addition would be risky since approval of the right of way abandonment is not guaranteed.

A public hearing was scheduled and held for this request last month, however, there were some questions regarding the legal advertisement of the meeting. A second public hearing is being held in August to ensure that all legal requirements for a public hearing are met.

STAFF RECOMMENDATION:

Staff recommends approval of the requested right of way abandonment, finding that the right of way abandonment will promote the health, safety, and general welfare of the public, and will not be a detriment to surrounding properties based on its secluded location.

NEXT STEPS:

Planning Commission will hold a public hearing on August 21, 2024 to consider the Right of Way Abandonment request and make a recommendation to City Council. The Planning Commission will either recommend approval, denial, or to delay action. Once the Planning Commission makes a recommendation of approval or denial, a public hearing will be held before City Council the following month for their final decision of approval or denial of the request.

SUGGESTED MOTIONS:

(APPROVE) I make a motion to recommend *APPROVAL* of the right of way abandonment request, finding that the request as presented on July 17, 2024 will promote the health, safety, and general welfare of the public and assist in the implementation of the City's adopted Comprehensive Plan for the orderly future development of the City.

OR

(DENY) I make a motion to recommend *DENIAL* of the right of way abandonment request, finding that the request as presented on July 17, 2024 will *NOT* promote the health, safety, and

general welfare of the public and assist in the implementation of the City's adopted Comprehensive Plan for the orderly future development of the City.

OR

(DELAY ACTION) I make a motion to delay action on this request until the Planning Commission can be provided with more information to effectively make a recommendation.

Attachments:

Right of Way Abandonment Application

Current Survey

Vicinity Map

GIS Property Card

CITY OF MARTINSVILLE, VIRGINIA

Application for Alleyway or Street Abandonment

Part I (to be completed by applicant and submitted with non-refundable fee of \$100.00) Please type or print in ink the following information:

Applicant's Name: Derek M. Brown Telephone: 276-806-8982

Applicant's Address: 406 James Street, Martinsville, VA 24112 (formerly Harris Drive)

Agent's Name & Address (if applicable) N/A

Location of Alleyway or Street:

When facing the home, the space is to the right. The area is currently a grassy field. To my understanding, the space was reserved for the possibility of an extra large turnaround.

State why it is practical to abandon or close the alleyway or street space: The space seems extremely large for a turnaround. Also, a new addition on my home overlaps a portion of the space. I was not aware of this right-of-way prior to the start of construction.

(to be completed by City staff)

Name and complete address of the owners of all property located adjacent to or directly across a street from the property for which the vacation is being requested:

Name: * See attached spreadsheet for adjoining. HP *

Address: _____

Tax Map ID: _____ Section _____ Block _____ Lot(s) _____

Name: _____

Address: _____

Tax Map ID: _____ Section _____ Block _____ Lot(s) _____

Name: _____

Address: _____

Tax Map ID: _____ Section _____ Block _____ Lot(s) _____

Application for Alleyway or Street Abandonment (Page 2)

I hereby apply for an abandonment for the property described herein subject to all City and State laws, ordinances and regulations. I hereby grant appropriate City officials the right to enter upon the above described property during normal business hours to conduct any inspection necessary. I hereby certify, under penalties of perjury, that the above information is true and correct.

Berch M. Bawn MSW, L MHD-5
Signature of Applicant/Agent

Owners's consent if different from applicant :

Signature of Owner(s)

Part 2 (to be completed by City)

Date Completed Application and Fee Received: 6-4-24

Date of Planning Commission Hearing: 7-17-24 / 8-21-24 Dates of Advertisements: 7-6 ; 7-13 / 8-10 ; 8-17

Date of City Council Hearing: _____ Dates of Advertisements: _____

I certify that, on _____, each of the property owners adjacent to and across the street from the property affected by this request were sent by first class mail a notification of the public hearing before the Martinsville Planning Commission.

Hand Bawn
Certifying Signature of City Staff

Attest by Deputy Clerk of Circuit Court

Recommendation by Planning Commission: _____

Action by Martinsville City Council: Date _____ Approved ☐ Denied ☐

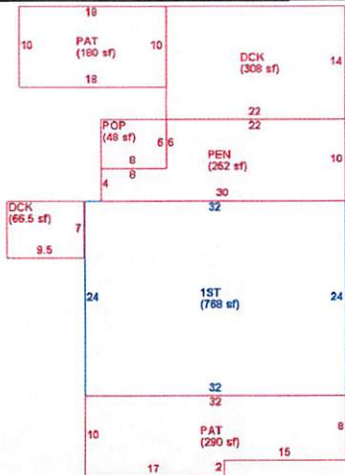
The Plotting Or Dedication Of The Following Described Land, Lot 10-D7, Is With The Free Consent And In Accordance With The Undersigned Owners, Proprietors, And Trustees, If Any.

Notary Public: _____
Notary Registration Number: _____
My Commission Expires: _____



406 JAMES STREET



CURRENT OWNER				RECORD OF OWNERSHIP				DEED BOOK		SALE DATE		Q/U		SALE PRICE		VC	
BROWN DEREK MARTINO				BROWN DEREK MARTINO				WF202100429		10-07-2021		U		0		1	
				JONES JAMES HENRY &				LR202100566		05-18-2021		U		0		1	
				JONES JAMES H				GM202000006		10-01-2020		U		0		1	
406 JAMES ST				JONES JAMES H				DB 176/144		10-21-1987		U		34,500		0	
				PENN FRANK U &				DB 158/212		03-15-1985		U		30,900		0	
MARTINSVILLE VA 24112																	
ASSESSMENT EFFECTIVE 7/1/2023				LEGAL DESCRIPTION				PREVIOUS ASSESSMENTS EFFECTIVE JULY 1st OF ASSESSMENT YEAR									
Description	Code	Appraised	Assessed	SE/S JAMES ST & HARRIS DR, LOTS 10&D, NO				Year	Code	Assessed	Year	Code	Assessed	Year	Code	Assessed	
Building	100	39000	39,000					2022	100	36300	2021	100	36300	2020	100	21700	
Land	100	5400	5,400	BLDG DESCRIPTION					100			100			100		
Outldg	100	12100	12,100	1 ST W/B					100	5400		100	5400		100	5400	
Total		56,500	56,500					Total		41700	Total		41700	Total		27100	
SUPPLEMENTAL DATA				BUILDING SUB-AREA SUMMARY SECTION								COST / MARKET VALUATION					
# Of Parcels	1	Year Built	1960	SUB	Description	LIVING	GROSS	EFF AREA	Unit C	Undeprec Val	Base Rate		79.00				
Plat Ref	GM202000006	Classification	01:Single Family-	1ST	1st Floor	768	768	768	58.42	44,868	Rcn		59,115				
Land Acres	0.596	Zoning	R-N	DCK	Deck	0	374	0	0.00	0	Net Other Adj		14,247				
Land SF	25,983	Prop Use	01:Residential	PAT	Patio	0	470	0	0.00	0	AYB		1960				
Assoc. Parcel		District	11S3:Northside 1 Str S	PEN	Enclosed Porch	0	252	0	0.00	0	Effective Year Built		1982				
				POP	Open Porch	0	48	0	0.00	0	Condition		G				
CONSTRUCTION DETAIL				Ttl Gross Liv / Lease Area								Remodel Rating					
Element	Cd	Description		Code	Description	La	Size	Rate	%	Dep	Qu	Adj	Apprais Val	Year Remodeled			
Style	01	Residential		071	OB-GARAGE	L	240	30.00	100	0.00		0.00	7,200	Eyb Dpr			
Model	01	Residential		036	OB-CARPORT PREFAB 1 CAR WITH FL	L	1	1200.00	100	0.00		0.00	1,200	Functional Obsol			
Grade	D	FAIR		090	OB-MISC BLDG	L	1	2500.00	100	0.00		0.00	2,500	Economic Obsol			
Stories	1.00			036	OB-CARPORT PREFAB 1 CAR WITH FL	L	1	1200.00	100	0.00		0.00	1,200	Cost Trend Factor			
Foundation Typ	04	C/B										Adjustment					
Exterior Wall 1	15	WOOD SIDING										Percent					
Roof Structure												Percent Good					
Roof Cover	03	COMPOSITE SHINGLE										RCNLD					
Interior Wall 1	09	DRY WALL										% Good Ovr					
Interior Floor 1	05	HARDWOOD										% Good Ovr Comment					
Exterior Cond	07	Fair										Misc Imp Ovr					
Central Heat	00	No										Misc Imp Ovr Comment					
Central AC	01	Yes										Cost to Cure Ovr					
Bedrooms	3											Cost to Cure Ovr Comm.					
Total Rooms	6																
Full Baths	1																
Half Baths	0																
Chimneys	0																
Fireplaces	0																
Exterior Wall 2																	
Interior Wall 2																	
Sketch Factor	01	Use Effective Area															
Basement Type	00	NONE															
Living Area	768.00																
Split Foyer	00	No															
Split Level	00	No															
PROPERTY FACTORS																	
PUB WATE	UG UTILITI	TOPO	SIDEWALK														
Y Yes	N No	O Level	N No														
PUB SEWE	CURB & GU	SOIL															
Y Yes	N No	C Clay															
SEPTIC	VIEW	LOCATION															
N No	N No	F Fair															



Public Hearing- Request for Right of Way Abandonment

406 James Street



406 James Street

Application of Derek Brown, Applicant and Owner, requesting the city's abandonment of an approximate 2500 square foot section of the right of way at property located at 406 James Street. The abandonment of streets, alleyways, right of ways or easements are a request that require review and approval of the Planning Commission and City Council, as it will amend the city's adopted Comprehensive Plan.



Background/History

- The property consists of 0.596 acres and includes a single-family residential structure that is approximately 768 square feet in size and was built in 1960. The property also includes several out buildings and prefabricated carports.
- When the owner approached the city about an addition on the property, Mr. Bridges instructed the owner that a lot line adjustment would be necessary in order to meet the required setbacks for the area. The owner agreed to adjust the lot lines and building permits were issued for the addition and construction began.
- Once the survey was completed, it was determined that a portion of the addition was actually located in the right of way owned by the city. The surveyor informed the owner that a right of way abandonment of approximately 2,500 square feet in size would be required by the city.

Background/History

- Once it was determined that a right of way abandonment would be necessary, the owner was informed by city staff and the application was completed by the owner.
- The owner and contractor were cautioned that continued construction of the addition would be risky since approval of the right of way abandonment is not guaranteed.
- The applicant owns all of the properties adjacent to 406 James Street. There were two (2) property owners in the vicinity that were notified of the request out of courtesy. Staff did not receive any comments or concerns from these property owners.



Recommendation of the Planning Commission

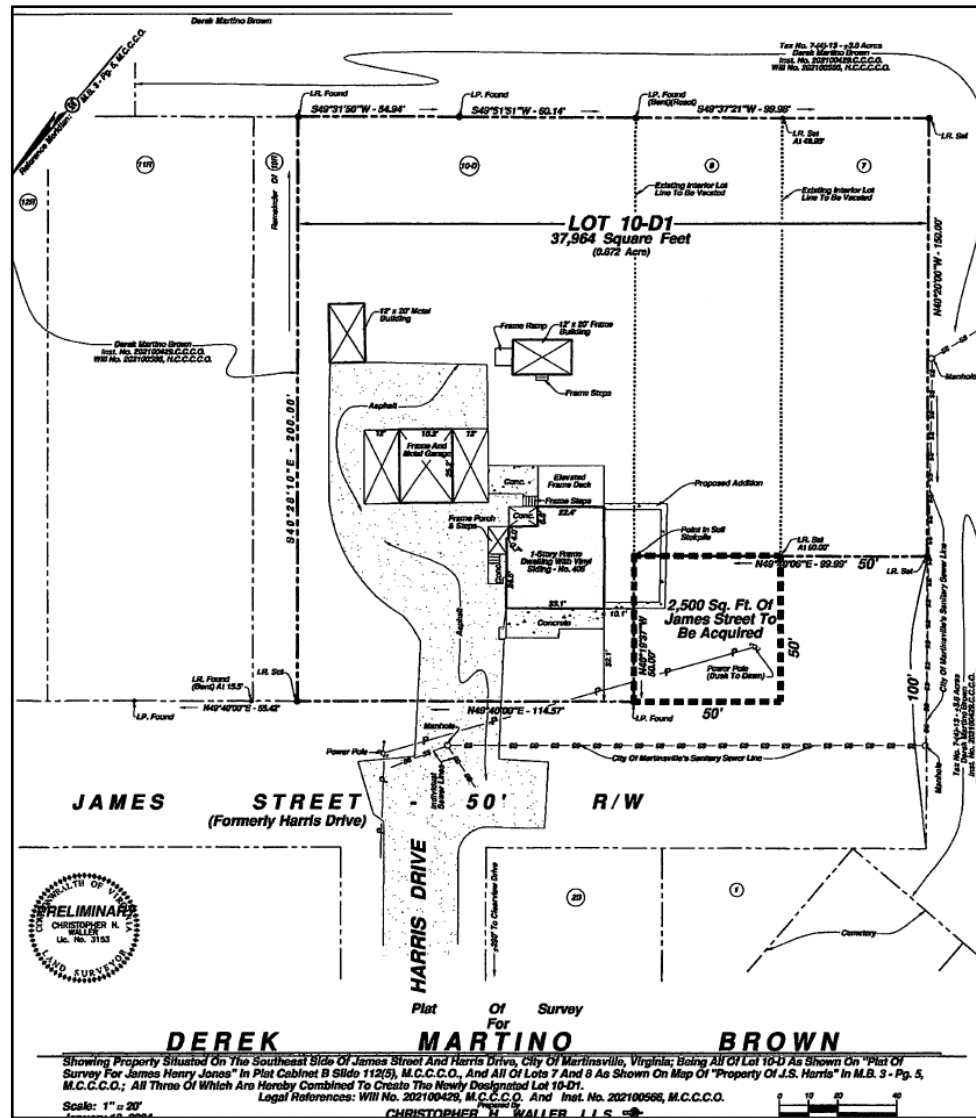
- The Planning Commission held a public hearing on August 21, 2024. There were no public comments received.
- The Planning Commission recommended approval of the Right of Way request by a vote of 4-0.



Current Survey



City of Martinsville

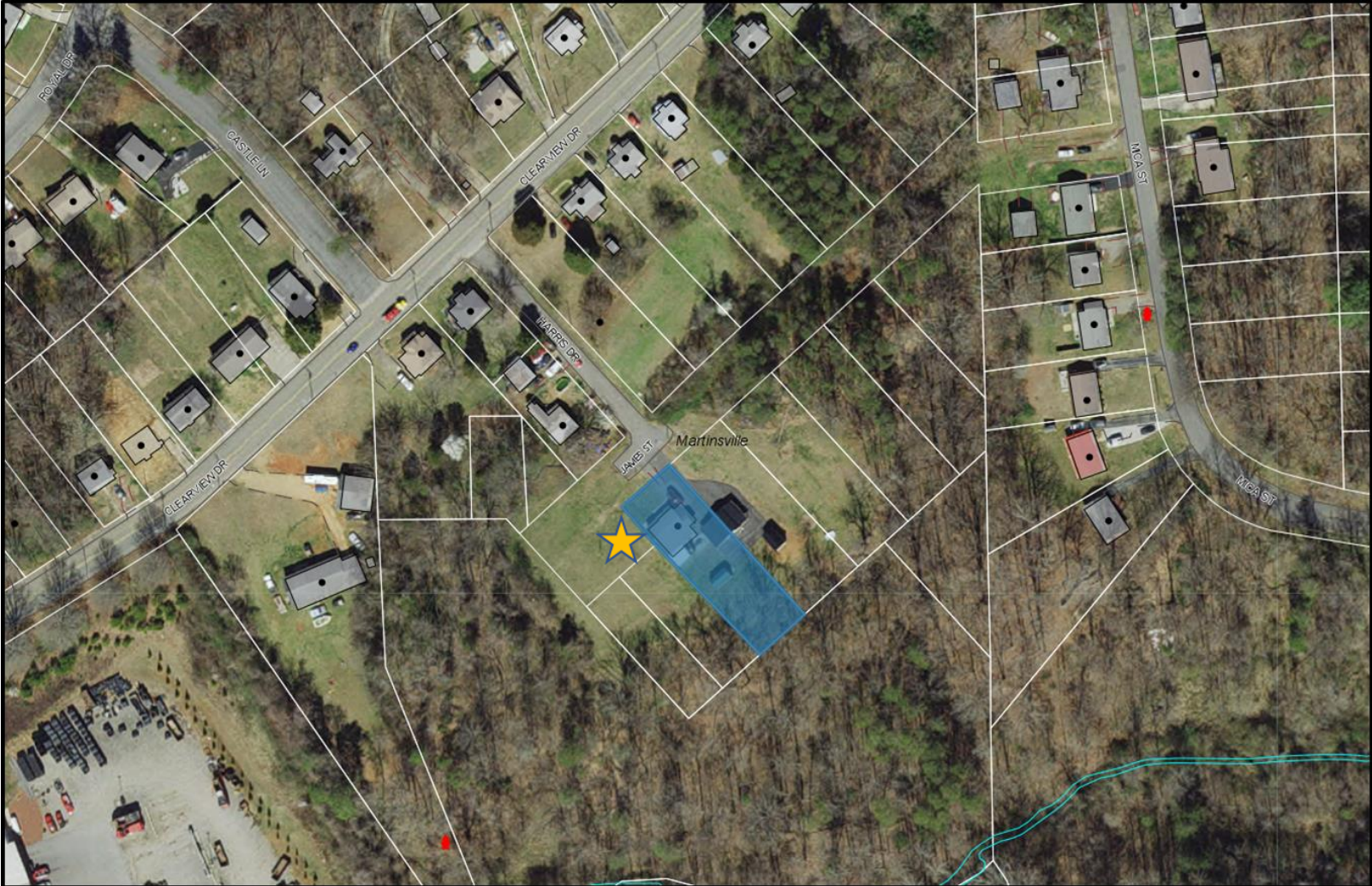


A CITY WITHOUT LIMITS

Vicinity Map



City of Martinsville



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