

The Department of Community Development
City Hall, Lynchburg, VA 24504

434-455-3900

To: Planning Commission
From: Planning Division
Date: November 13, 2013
Re: Rezoning: B-3C, Community Business District (Conditional) to B-5C, General Business District (Conditional) – 2248 Lakeside Drive

I. PETITIONER

Mr. James R. Walker, 303 Howard Drive, Lynchburg, Virginia 24503

Representative: Mr. Ty Mosby, P.E., Berkley Howell & Associates, P.C., 306 Enterprise Drive, Suite C, Forest, Virginia 24551

II. LOCATION

The subject property includes one (1) tract totaling approximately one and two tenths (1.2) acres located at 2248 Lakeside Drive.

Property Owner: Westwood Corporation, 18707 Forest Road, Lynchburg, Virginia 24502

III. PURPOSE

The purpose of the petition is to rezone the property to allow the sale and repair of automobiles.

IV. SUMMARY

- The *Comprehensive Plan 2002-2020's Future Land Use Map (FLUM)* recommends a Community Commercial land use for the area.
- Automobile sales and repair are permitted uses in a B-5, General Business District.
- Other B-5, General Business Districts, currently exist in the area.
- A proffer voluntarily submitted by the petitioner indicates substantial compliance with the submitted site plan.

The Planning Division recommends approval of the rezoning petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The *Comprehensive Plan 2002-2020* recommends a Community Commercial use for the area: Community Commercial areas contain retail, personal service, entertainment and restaurant uses that draw customers from at least several neighborhoods up to the entire city. Community Commercial areas contain clusters of businesses, often at major intersections and shopping centers. Most community shopping centers range from 100,000 to 200,000 square feet and serve 40,000 to 70,000 people. (*pg. 5.5*)
2. **Zoning.** The subject property was annexed into the City in 1976. The existing B-3, Community Business District (Conditional) zoning was established on April 11, 1989 when Council amended the I-2, Light Industrial District zoning.
3. **Proffers.** The petitioner has voluntarily submitted the following proffer:
 1. The property will be developed in substantial compliance with the site plan.
4. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances would be needed for the development of the property as proposed.

- 5. Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
- On February 10, 1987, Council approved the petition of Wilton & Kathleen Burgess to rezone 2220 Lakeside Drive from I-2, Light Industrial District to B-5, General Business District (Conditional) to allow the use of the property as offices, a delicatessen and a Laundromat.
 - On November 8, 1988, Council approved the petition of Farriss & Iseman to rezone 2143 Lakeside Drive from I-2, Light Industrial District to B-3, Community Business District (Conditional) and R-3, Medium Density, Two-Family Residential District (Conditional) and approved a Conditional Use Permit (CUP) to allow the use of the property for retail sales and the expansion of a mobile home park.
 - On April 11, 1989, Council approved the petition of Cliff Leweke to rezone the property at 2248 Lakeside Drive from I-2, Light Industrial District to B-3, Community Business District (Conditional) to allow retail sales.
 - On October 13, 1992, Council adopted the Graves Mill Road/US 221 Area Land Use Study which amended the zoning of the property in the area.
 - On May 10, 1994, Council approved the petition of Kenneth Revis to rezone the 3400 block of Forest Brook Road from B-3, Community Business District to B-5, General Business District (Conditional) to allow the operation of an automobile repairs and trailer sales.
 - On January 10, 1995, Council approved the CUP petition of Shekijah Preparation Assembly to allow the construction of a church and parking area at 104 Fleetwood Drive.
- 6. Site Description.** The subject property is one (1) tract containing an existing building with parking located in front and to the west side of the building. The property is bounded to the north by the Forest Hill Burial Park, to the east and west by commercial uses and to the south (across Lakeside Drive) by vacant land.
- 7. Proposed Use of Property.** If the rezoning petition is approved, the property would be used for automobile sales and repair. An overhead door would be added to the east side of the building, and the property would be brought into compliance with the landscaping standards of the *Zoning Ordinance*.
- 8. Traffic, Parking and Public Transit.** The vehicle trip threshold for the proposed use does not warrant a traffic study. The City's Transportation Engineer noted that cross parcel access should be considered, if desirable. The property is served by GLTC Route 8 with a stop located seven hundred fifty-six (756) feet to the east of the property. The submitted site plan indicates thirteen (13) parking spaces for customers/employees which complies with the *Zoning Ordinance*. A total of fourteen (14) spaces have been identified for automobile sales.
- 9. Stormwater Management.** No new impervious areas are proposed. As such, a stormwater management plan is not required.
- 10. Emergency Services.** The City's Fire Marshal requested that fire flow calculations for the building be submitted. Fire flow calculations will be submitted prior to occupancy of the building.

The City Police Department had no comments of concern related to the proposed petition.

11. **Impact.** The submitted rezoning petition would allow the existing building and parking area to be used for automobile sales (14 vehicles) and repair. An overhead door would be installed on the eastern corner of the building to allow the installation of a service bay. The rezoning would facilitate bringing the site into compliance with the landscaping standards of the Zoning Ordinance. Since other B-5, General Business District uses exist in the area, the use of the property for automobile sales and service as indicated on the site plan should have little to no impact.
 12. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on September 17, 2013. Comments related to the proposed use have been addressed by the petitioner.
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VI. PLANNING DIVISION RECOMMENDATION

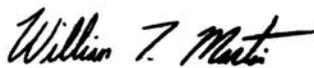
Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of James R. Walker to:

Waive the twenty-one (21)-day submittal requirement for proffers.

Rezone approximately one and two (1.2) tenths acres at 2248 Lakeside Drive from B-3, Community Business District (Conditional) to B-5, General Business District (Conditional) subject to the following voluntarily submitted proffer:

1. **The property will be developed in substantial compliance with the site plan.**

This matter is respectfully offered for your consideration.

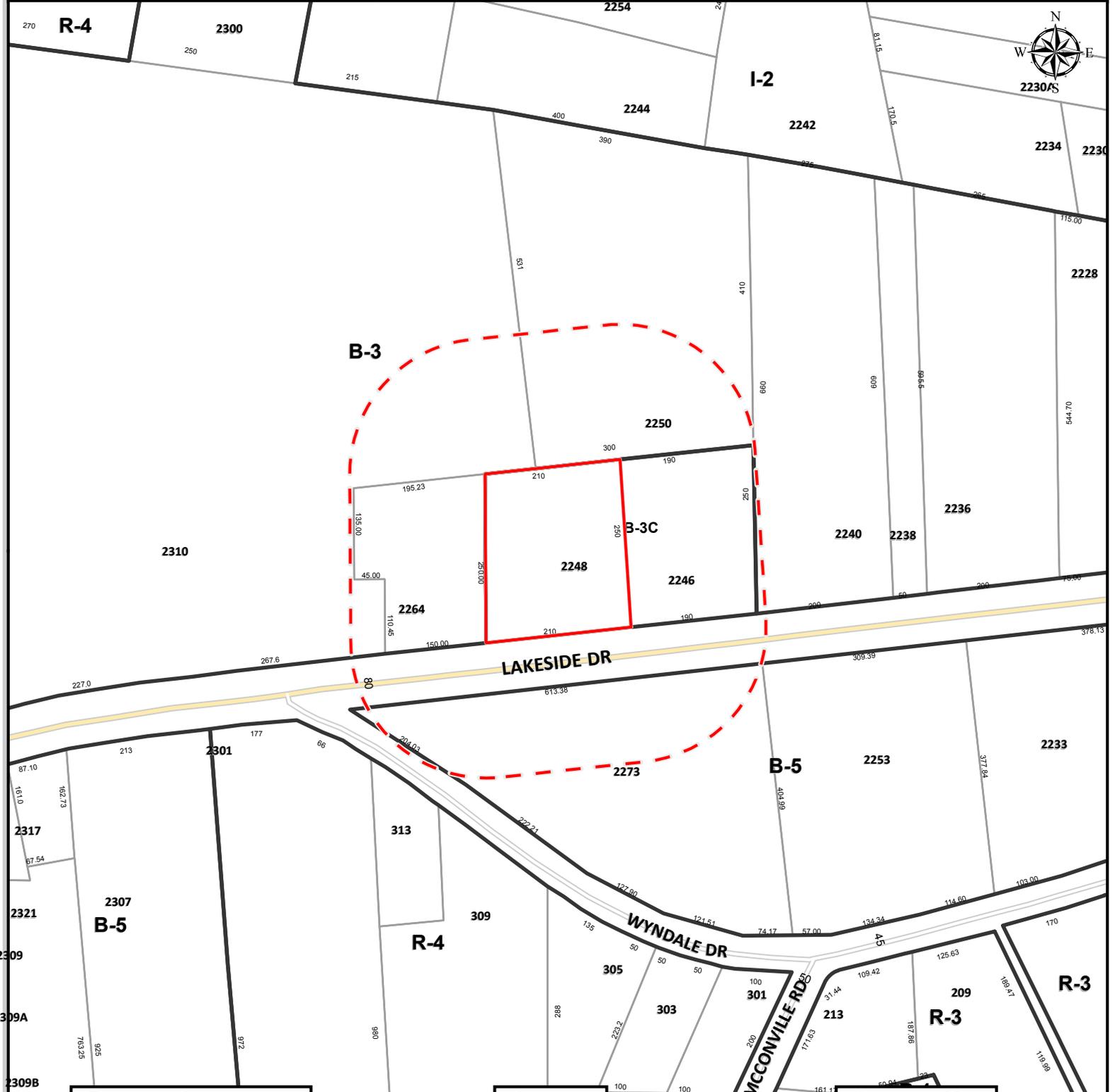


William T. Martin, AICP
City Planner

- pc: Mr. L. Kimball Payne, III, City Manager
Ms. Bonnie M. Svrcek, Deputy City Manager
Mr. Walter C. Erwin, City Attorney
Mr. Kent L. White, Director of Community Development
Mr. J. Lee Newland, City Engineer
Ms. Cynthia Kozerow, Lynchburg Police Department
Battalion Chief Greg Wormser, Fire Marshal
Mr. Don DeBerry, Transportation Engineer
Mr. Doug Saunders, Building Commissioner
Mr. Robert Fowler, Zoning Administrator
Mr. Jacob Dorman, Environmental Reviewer
Mr. James R. Walker, Petitioner
Mr. Ty Mosby, Representative

VII. ATTACHMENTS

- 1. Vicinity Zoning Pattern Map**
- 2. Vicinity Proposed Land Use Map**
- 3. Watershed Location Map**
- 4. Planimetric and Topographic Map**
- 5. Rezoning Plan**
- 6. Narrative**
- 7. Property Photograph**



PROPERTY INFORMATION

PARCEL ID	ADDRESS
23026014	2248 LAKESIDE DR

LEGEND

-  Subject Property
-  200' Buffer
-  Zoning Boundary

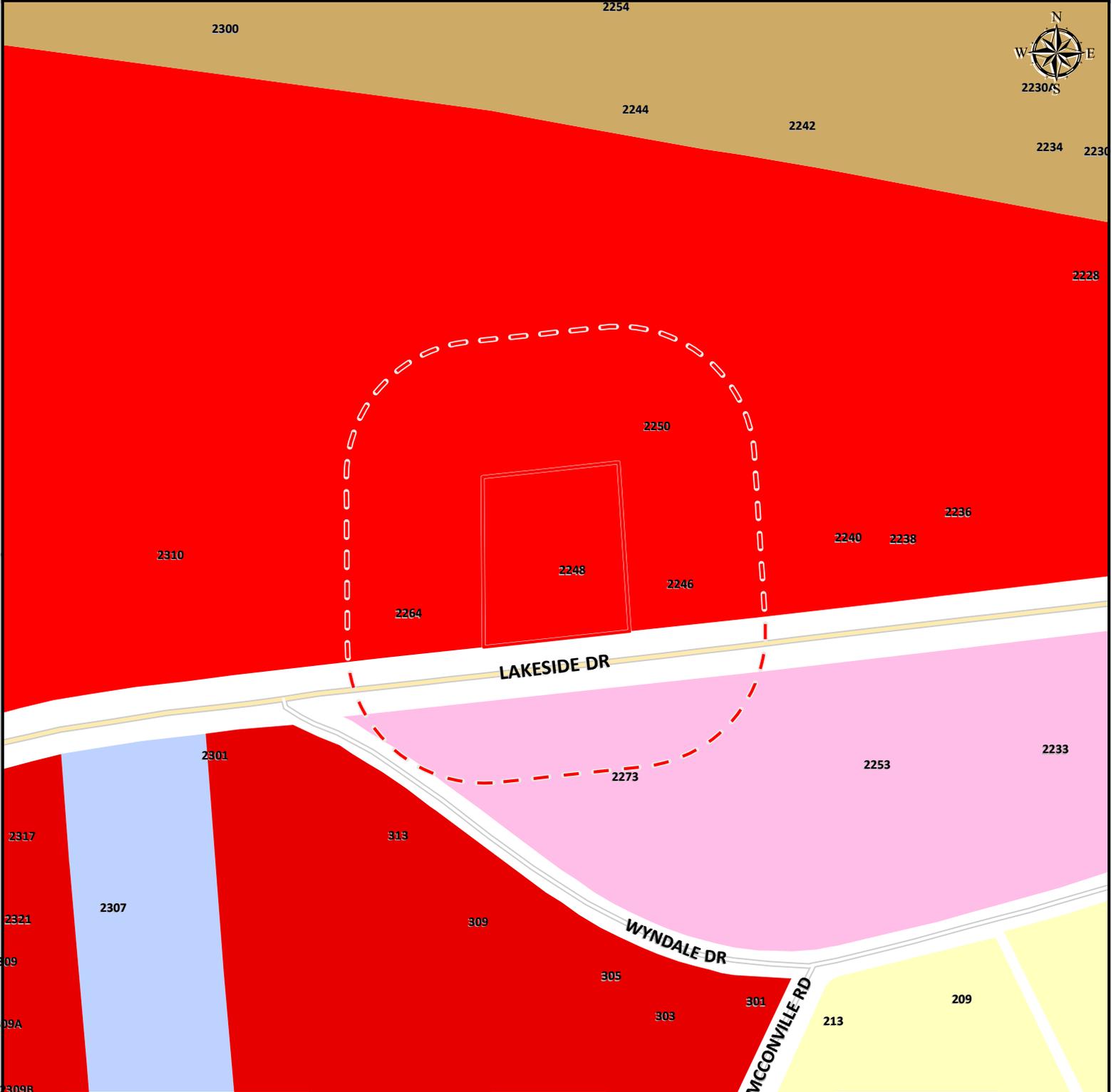
OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 11/1/2013

DISCLAIMER: THIS MAP IS NEITHER A LEGALLY RECORDED MAP NOR A SURVEY AND IS NOT INTENDED TO BE USED AS SUCH. THE INFORMATION DISPLAYED IS A COMPILATION OF RECORDS, INFORMATION, AND DATA OBTAINED FROM VARIOUS SOURCES. THE CITY OF LYNCHBURG IS NOT RESPONSIBLE FOR ITS ACCURACY OR HOW CURRENT IT MAY BE.

Parcel ID	Address	Owner
23026012	2264 LAKESIDE DR	RHG INVESTMENTS LLC
23026014	2248 LAKESIDE DR	WESTWOOD CORPORATION
23026024	2246 LAKESIDE DR	W DAVID & CHERYL B STINNETT
23026015	2240 LAKESIDE DR	ROY O & LOIS REBECTOR
23026010	2310 LAKESIDE DR	FOREST HILL BURIAL PARK INC
23016003	2273 LAKESIDE DR	SOUTHERN AIR INC



PROPERTY INFORMATION

PARCEL ID	ADDRESS
23026014	2248 LAKESIDE DR

LEGEND

- Local Historic District
- Traditional Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Commercial
- Community Commercial
- Regional Commercial
- Employment Mixed Use
- Residential Mixed Use
- Employment 1
- Employment 2
- Office
- Institution
- Downtown
- Public Use
- Public Parks
- Resource Conservation
- General Mixed Use

OVERVIEW MAP



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PROPERTY INFORMATION

PARCEL ID	ADDRESS
23026014	2248 LAKESIDE DR

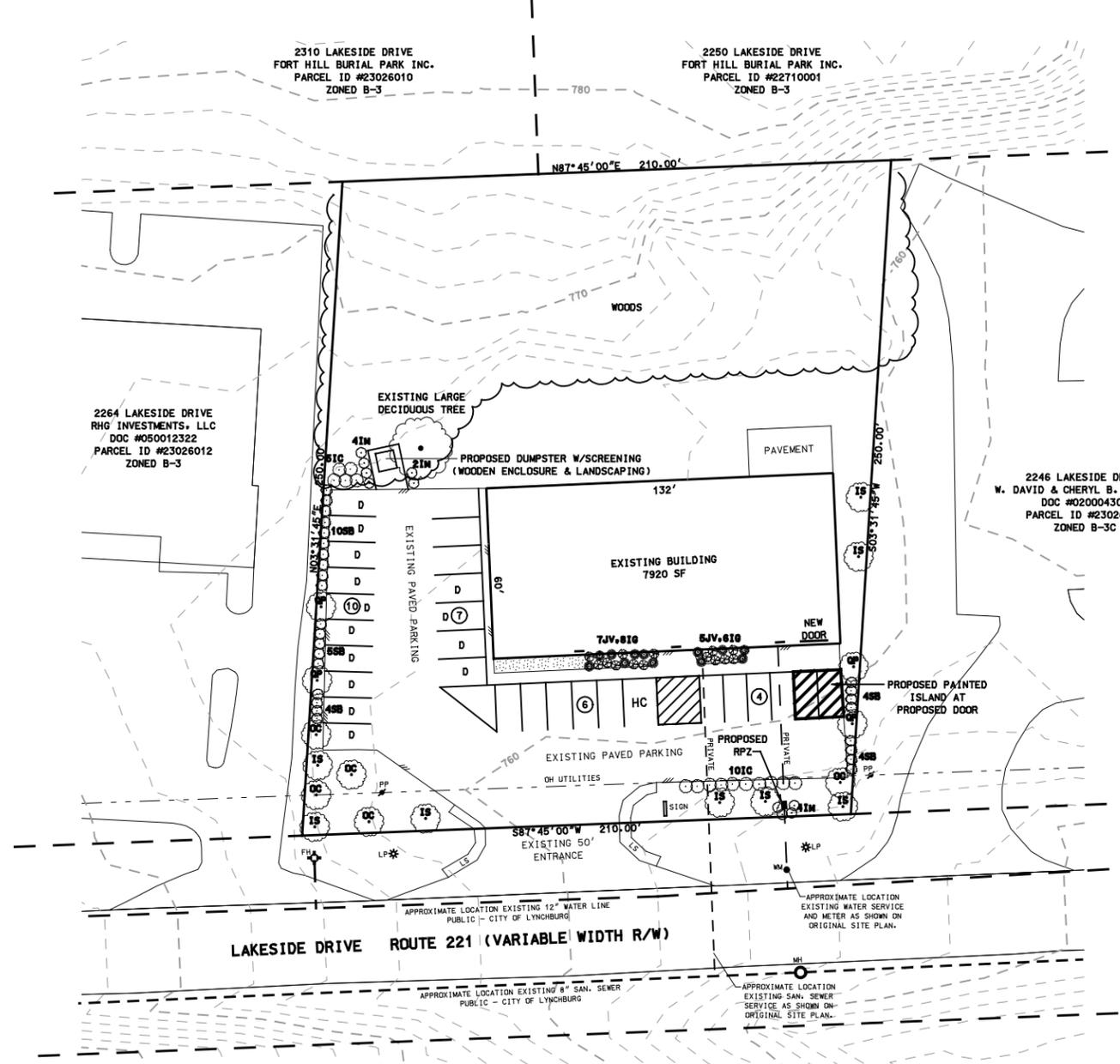
LEGEND

- Subject Property
- Base Flood Elevation
- Floodway
- Floodzone
- River / Lake / Stream

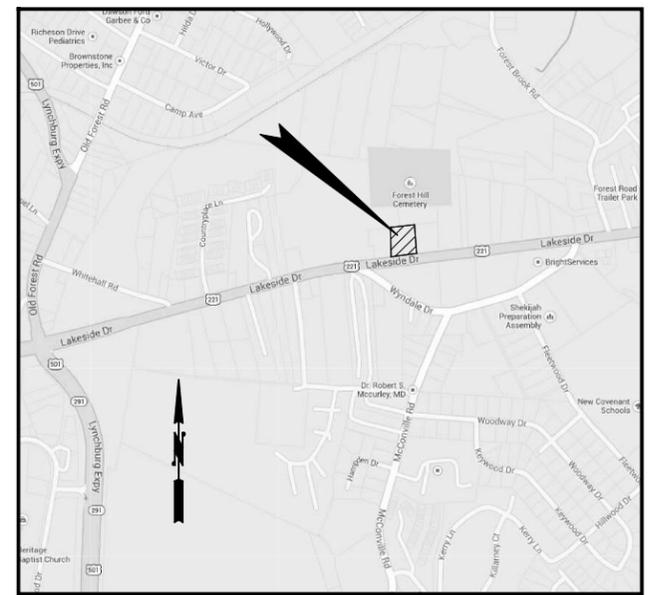
OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 11/1/2013



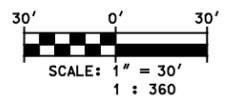
- LEGEND**
- OH OVERHEAD
 - HC HANDICAP
 - PP UTILITY POLE
 - LP LIGHT POLE
 - FH FIRE HYDRANT
 - LS LANDSCAPING
 - MH MANHOLE
 - WM WATER METER
 - D DENOTES SPACES PRIMARILY FOR AUTOMOBILE DISPLAY (FOR SALE)



VICINITY MAP
NTS

NOTES:

1. THIS PLAN HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT NECESSARILY INDICATE ALL ENCUMBRANCES UPON THE TITLE.
2. BY GRAPHIC SCALING ONLY, A PORTION OF THIS PROPERTY IS LOCATED IN ZONE "X" (DESIGNATED SPECIAL FLOOD HAZARD AREAS) ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR THE CITY OF LYNCHBURG, VIRGINIA (#5100930039D) DATED JUNE 3, 2008. NO FIELD SURVEYING WAS PERFORMED TO MAKE THIS DETERMINATION.
3. THIS PLAN DOES NOT PURPORT TO ADDRESS THE EXISTENCE, DETECTION OR DELINEATION OF ANY ENVIRONMENTALLY SENSITIVE AREAS OR ANY ENVIRONMENTAL PROBLEMS LOCATED WITHIN THE PERIMETER OF THE PROPERTY SHOWN.
4. THE BOUNDARY INFORMATION FOR THE LOT SHOWN HEREON IS BASED ON DEEDS AND PLATS OF RECORD AND NOT BASED ON A CURRENT FIELD SURVEY. SAID BOUNDARY INFORMATION IS SUBJECT TO ALL FACTS WHICH WOULD BE DISCLOSED BY A CURRENT FIELD SURVEY.
5. THIS PROPERTY IS CURRENTLY DEVELOPED WITH AN EXISTING BUILDING AND PARKING AREA. NO NEW DEVELOPMENT IS PROPOSED. THE REZONING REQUEST IS FOR A CHANGE IN USE.
6. THE PROPERTY IS CURRENTLY DEVELOPED. NO NEW SITE DEVELOPMENT IS PLANNED. THE ONLY PROPOSED WORK IS UPDATING THE CITY REQUIRED LANDSCAPING AND ADDING AN RPZ TO THE EXISTING WATER SERVICE.
7. ONCE INTERNAL BUILDING EQUIPMENT IS DETERMINED, A GRIT, OIL, OR GREASE INTERCEPTOR MAY BE REQUIRED.



OWNER: NAME: Westwood Corporation
ADDRESS: 18707 Forest Road
Lynchburg, VA 24502

CONTRACT LEASEHOLDER: NAME: James R. Walker
ADDRESS: 303 Howard Drive
Lynchburg, VA 24503

PHONE: 434-258-1050

PROPERTY ADDRESS: 2248 Lakeside Drive
PARCEL NO.: 23026014
SOURCE OF TITLE: 11002315
PROPERTY ACREAGE: 1.2 Acres;
PROPOSED LAND USE: Luxury Auto Repair and Used Car Sales
EXISTING ZONING: B-3C
PROPOSED ZONING: B-5
EXISTING BUILDING DATA: NO. STORIES: 1
SQUARE FOOTAGE: 7,920 SF±

PARKING REQUIRED PARKING: 2 Space per 1000sf, 4000sf x 2 / 1000 = 8 spaces
Plus 3 employees x 1/3 = 1 (retail sales/service)
Plus 2 per service bay, 1 bay x 2 = 2 spaces
Plus 2 per 3 employees 3x2/3 = 2 (automobile service)
Total = 13 spaces
ACTUAL PARKING: 13 customer/employee spaces, 1 of which are HC
14 automotive display spaces (27 spaces total)

WATER SERVICE: Public, City of Lynchburg, Existing connection
SANITARY SERVICE: Public, City of Lynchburg, Existing connection

PLANT MATERIALS SCHEDULE (General legend. All planting types may not be utilized)

KEY	BOTANICAL NAME	COMMON NAME	SIZE
SHRUBS			
IC	Ilex cornuta 'Burfordii nana'	Dwarf Burford holly	3' ht. min.
SB	Spirea bumalda 'Neon Flash'	Neon Flash spirea	2' ht. min.
JV	Juniperus virginiana 'Grey Owl'	Grey Owl juniper	3' ht. min.
IM	Ilex meservae 'Blue Princess'	Blue Princess holly	30-36"
AZ	Azalea 'Delaware Valley'	Delaware Valley azalea	3' ht. min.
IG	Ilex glabra 'Nigra'	Nigra inkberry holly	3' ht. min.
IV	Ilex verticillata	Sparkberry holly	3' ht. min.
CA	Clethra alnifolia	Summersweet	3' ht. min.
VD	Viburnum dentatum	Arrow wood viburnum	3' ht. min.
MP	Myrica pennsylvanica	bayberry	3' ht. min.
DC	Deschampsia caespitosa	Tufted hair grass	2.25' pots @ 24" o.c.
TREES			
AR	Acer rubrum 'October Glory'	October Glory red maple	1.5-1.75" caliper
IN	Ilex 'Nellie R. Stevens'	Nellie Stevens holly	6-7'
AS	Acer saccharum 'Legacy'	Legacy sugar maple	1.5-1.75"
QP	Quercus phellos	Willow oak	1.5-1.75" caliper
ZS	Zelkova serrata 'Village Green'	Village Green zelkova	1.5-1.75" caliper
NS	Nyssa sylvatica	Tupelo Black gum	1-1.5" caliper
TD	Taxodium distichum	Bald cypress	7-8'
PO	Platanus occidentalis	Sycamore	1-1.5" caliper
CR	Lagerstroemia x 'Sioux'	Sioux crapemyrtle	1.5-1.75" caliper/ 6-8'
CL	Cupressocyparis leylandii	Leyland cypress	5-6'
IS	Syringa reticulata 'Ivory Silk'	Ivory Silk Tree Lilac	1-1.5" caliper
OC	Prunus 'Okame'	Okame Cherry	1-1.5" caliper

Landscape Calculations

Parking Area Landscaping (island)
Shade Trees 27 spaces x 1/8 = 3.4 trees required 4 trees provided
Shrubs 27 spaces x 1/1 = 27 shrubs 27 shrubs provided

Parking Area Screening
3' high shrubs in 6' wide bed 15 shrubs provided

Street Trees
210' x 1 ornamental tree per 20' = 11 11 trees provided

Foundation plantings
Trees 132 lf x 1/50 = 3 Trees 2 new trees provided, 1 existing
Large Shrubs 132 lf x 1/10 = 26 large shrubs 26 large shrubs provided

Utility Screening
RPZ Screening planted at RPZ and dumpster as shown

Tree Canopy
The tree canopy for the project area exceeds the required 10%. Project area 52,000sf x 10% = 5,200sf minimum. The existing wooded area plus the proposed trees exceeds 5,200 sf.

Shrub small: A shrub with a minimum height of one (1) foot at time of planting
Shrub medium: A shrub with a minimum height of two (2) feet at the time of planting
Shrub large: A shrub with a minimum height of three (3) feet at the time of planting

Plants to be installed per recommendations of supplier. Use amended soils, fertilizer, watering as needed to provide healthy plant growth.

Where parking area screening is required at an automotive sales display area, the screening may be placed in a manner as not to interfere with display and maintenance.

BERKLEY HOWELL & ASSOC., P.C.
ENGINEERS • SURVEYORS • PLANNERS
306 ENTERPRISE DRIVE, SUITE C
FOREST, VIRGINIA 24551
PHONE: (434) 386-7548 FAX: (434) 386-6178



SITE PLAN FOR REZONING
AUTOMOTIVE DEALERSHIP
JAMES R. WALKER
2248 LAKESIDE DRIVE
CITY OF LYNCHBURG, VIRGINIA

DATE: 8-30-13
DRAWN:
CHECKED:
REVISIONS

NO.	DATE
1	10-4-13

SCALES
HORIZ: AS SHOWN
VERT: AS SHOWN
COMM. NO. 130129
SHEET NO. 1 OF 1

1. REVISED PER TRC COMMENTS.

REZONING NARRATIVE
FOR
WESTWOOD CORPORATION
2248 LAKESIDE DRIVE
LYNCHBURG, VIRGINIA

PREPARED FOR:

JAMES R. WALKER
303 HOWARD DRIVE
LYNCHBURG, VIRGINIA 24503
(CONTRACT LEASEHOLDER)

RECEIVED

SEP 05 2013

**COMMUNITY
DEVELOPMENT**

BY

BERKLEY-HOWELL & ASSOCIATES, P.C.
ENGINEERS-SURVEYORS-PLANNERS

306 ENTERPRISE DRIVE, SUITE C.
FOREST, VIRGINIA 24551
(434) 385-7548

COMM. NO. 130129

AUGUST 29, 2013

PROJECT SCOPE

Request Rezoning from B-3C to B-5 to allow luxury auto repair and used car sales in an existing 7,920 sf building. The property is currently developed with building, parking, and utilities. No additional development is proposed other than the addition of City required landscaping and an RPZ. Below are narratives specifically requested by the City of Lynchburg for the Rezoning application.

WATER/SEWER CAPACITY NARRATIVE:

The existing facility is currently served by existing City of Lynchburg Public water via 12" line along Lakeside Drive. The facility has an existing water connection. The new use is not expected to generate any additional water consumption.

The existing facility is currently served by existing City of Lynchburg Public sewer via 8" line along Lakeside Drive. The facility has an existing sewer connection.

STORMWATER NARRATIVE FOR ADEQUATE CHANNEL AND STORMWATER MEASURES

Since the facility is existing and no new development is proposed, no storm water narrative for adequate channel and storm water measures is necessary or required.



Bike & Bicycle