

The Department of Community Development
City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Planning Commission
From: Planning Division
Date: April 13, 2016
Re: **Conditional Use Permit (CUP) – Duplex – 3504 Powhatan Street**

I. PETITIONER

City Spaces LLC, 1171 Cuddington Lane, Forest, VA 24551
Representative: Mr. Jeremy Toler, 1171 Cuddington Lane, Forest, VA 24551

II. LOCATION

The subject property is a tract of approximately three hundred and fifty-seven thousandths (0.357) of an acre located at 3504 Powhatan Street.
Property Owner: City Spaces LLC, 1171 Cuddington Lane, Forest, VA 24551

III. PURPOSE

The purpose of the petition is to allow the use of an existing structure at 3504 Powhatan Street as a duplex in a B-1, Limited Business District.

IV. SUMMARY

- The *Comprehensive Plan 2002-2020's Future Land Use Map (FLUM)* recommends a Mixed Use for the area.
- Duplexes are permitted in a B-1, Limited Business District upon approval of a CUP by Council.
- There would be no exterior changes to the existing structure other than home landscaping.
- Parking will be provided on-street as allowed by the Zoning Ordinance.

The Planning Division recommends approval of the CUP petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The *Comprehensive Plan 2002-2020* and the *Campbell Avenue/Odd Fellows Road Land Use and Corridor Master Plan* recommend a Mixed Use for the area. Mixed Uses do not fit into any single use category as they are planned for a mix of uses carefully designed so as to mitigate any potential land use conflicts. The mixed use areas generally consist of large undeveloped or greenfield areas that are intended to be developed for a balanced mix of residential, neighborhood commercial, civic uses, parks and open spaces. The mix of uses in these areas is intended to be determined at the time of development review and approval. The adopted area plans should be consulted for a more fine-grained discussion of the mix of uses... (p76)

The *Campbell Avenue | Odd Fellows Road Land Use and Corridor Master Plan* was adopted in October 2013. The plan calls for a road diet on Campbell Avenue following the completion of the Odd Fellows Road / US460 interchange and provides a vision for the redevelopment along Campbell Avenue after the road diet. Road diets typically include a reduction in vehicular travel lanes and reallocation of space in the right-of-way to other travel modes and

on-street amenities. The areas designated mixed use should eventually become higher density residential with ground floor commercial development that complements the road diet and better serves the adjacent neighborhoods rather than through traffic from US460. While the current proposal does not directly fit into this vision, planning staff recognizes that Campbell Avenue redevelopment will be an incremental process that hinges on redevelopment of the corridor. Use of the existing home as a duplex will provide greater density and is an acceptable interim use for this area of the corridor.

2. **Zoning.** The subject property was annexed into the City in 1958. The existing B-1, Limited Business District was established in 1978.
3. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances are needed for the development of the property as proposed.
4. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - On November 14, 2000, City Council approved the petition of Central National Bank to rezone approximately one half (.5) acre on the 2000 block of Hanover Street from R-3, Medium Density, Two-Family Residential District to B-1, Limited Business District to allow parking and the relocation of a drive-through banking facility from an adjacent bank at 3515 Campbell Avenue.
 - On May 8, 2007, City Council approved the conditional use permit petition of Robert Parsons to allow an addition to a single family residence in a business district at 109 North Durham Street.
 - On October 8, 2013 City Council adopted the *Campbell Avenue | Odd Fellows Road Land Use and Corridor Master Plan* as part of the City's Comprehensive Plan.
5. **Site Description.** The subject property is a tract of approximately three hundred and fifty-seven thousandths (0.357) of an acre located at 3504 Powhatan Street. The property contains a one (1)-story, approximately nine hundred (900) square foot residence constructed in 1954. The structure is currently vacant and undergoing renovations.
6. **Proposed Use of Property.** The purpose of the petition is to allow the use of an existing structure as a duplex in a B-1, Limited Business District.
7. **Traffic, Parking and Public Transit.** The City's Transportation Engineer had no comments of concern regarding the proposed use.

Section 35.2-62.2, Location of Off-Street Parking Facilities of the *Zoning Ordinance* requires one (1) parking space per residential unit. The duplex would require two (2) parking spaces. Section 35.1-25 (c) provides that on-street parking located within one thousand (1,000) feet and connected by pedestrian facilities (to the proposed use) may be used to satisfy off-street parking requirements.

On-street parking is available on both sides of Powhatan Street and sidewalks currently exist on the north side of the street, connecting to the house at 3504 Powhatan Street. Currently six single-family homes share on-street parking on this approximately two hundred (200) foot section of Powhatan, only one of which has a private driveway. Approximately twenty (20) cars can be parked in this area of Powhatan, which would result in an average of three (3) spaces per house. As a public street, there are no restrictions on who may park and how many cars may be parked. It will all be first come, first served. While the conversion of this one

house to a duplex should not cause on street parking conflicts, the conversion of additional houses on this street likely will. However, because the addition of a driveway would increase impervious area and remove an on street space shared by the whole neighborhood, planning staff determined on street parking would be sufficient.

The property is served by Greater Lynchburg Transit Company (GLTC) Route Number 2 by a GLTC stop located at 3600 Campbell Avenue. Sidewalks to this stop are not continuous.

8. **Stormwater Management.** Land disturbance will be limited to minor landscaping. Therefore, a stormwater management plan is not required for the proposed use of the existing structure as a duplex.
9. **Emergency Services:** The City Fire Marshal had no comments of concern regarding the proposed use. The City's Police Department provided general safety recommendations to the petitioner.
10. **Impact.** The proposed use of the commercially zoned structure as a duplex should have little to no impact on the area and is an acceptable interim use while the *Campbell Avenue/ Odd Fellows Road Land Use and Corridor Master Plan* is undergoing implementation. As stated above, parking is the main concern and important for Planning Commission to consider.
11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the conditional use permit on March 15, 2016. Comments related to the proposed use have or will be addressed prior to final site plan approval.

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of City Spaces, LLC to allow the use of an existing structure located at 3504 Powhatan Street as a duplex subject to the following conditions:

1. **There will be no exterior modifications to the structure that would result in distinguishing it from a single-family home until the point when the site is redeveloped with an appropriate B-1, Limited Business District Use.**
2. **All exterior lighting shall be installed so that the direct lighting from fixtures is shielded from crossing any residential property line.**

This matter is respectfully offered for your consideration.

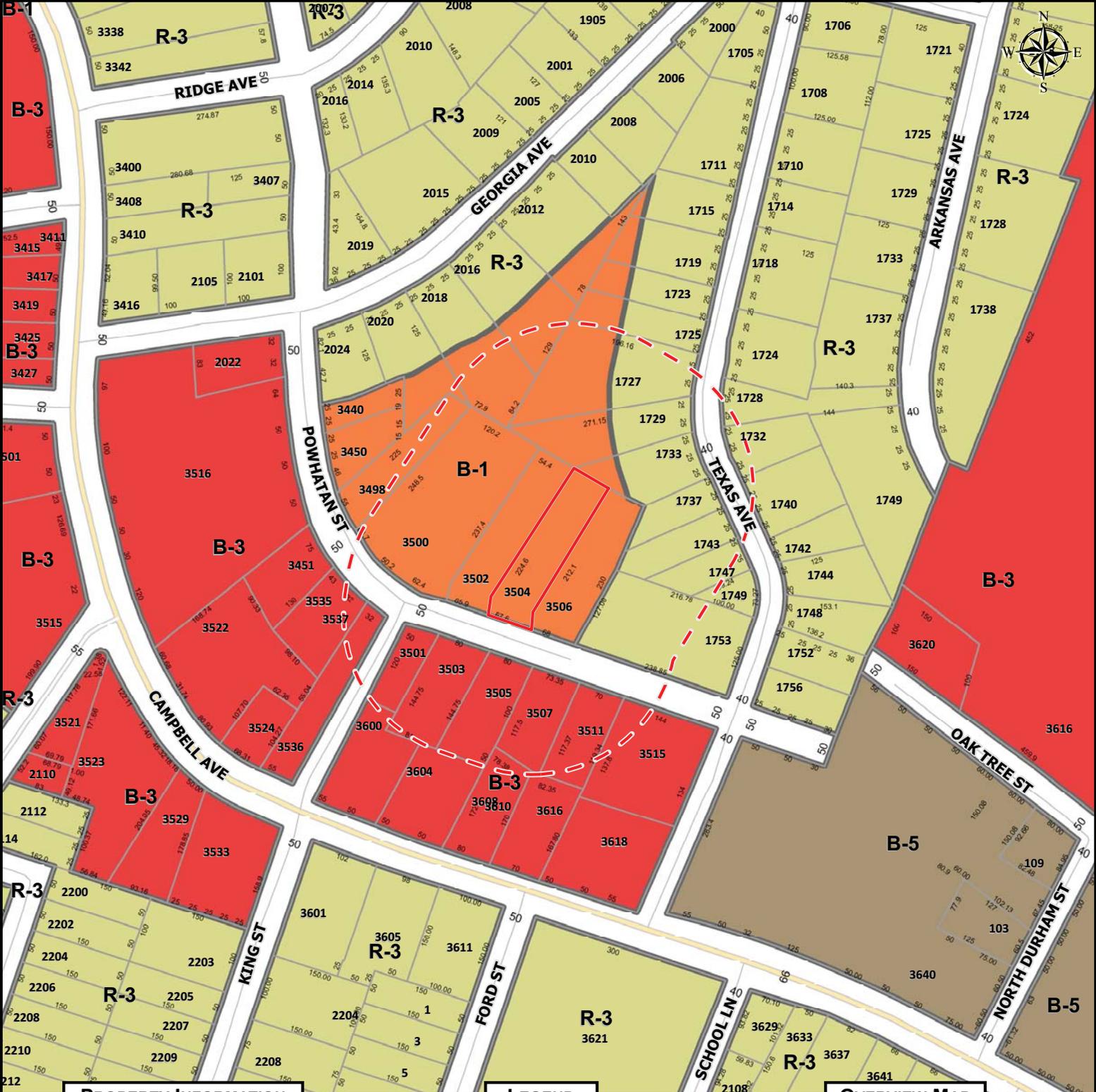


William T. Martin, AICP
City Planner

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 Thomas Goode, Fire Marshal
Mrs. Maggie Cossman, Transportation Engineer
Mr. Doug Saunders, Building Official
Mr. Kevin Henry, Zoning Administrator
Mr. Jeremy Toler, Petitioner

VII. ATTACHMENTS

- 1. Zoning Map**
- 2. Future Land Use Map**
- 3. Watershed Map**
- 4. Planimetric and Topographic Map**
- 5. Concept Plan**
- 6. Property Photographs**



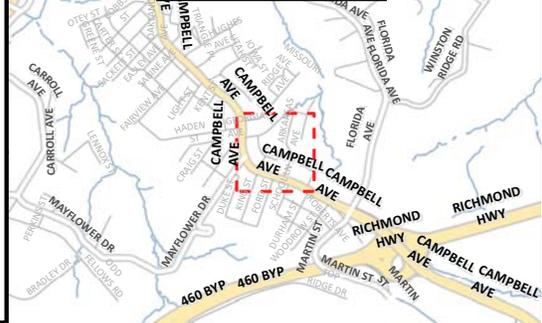
PROPERTY INFORMATION

PARCEL ID	ADDRESS
11026029	3504 POWHATAN ST

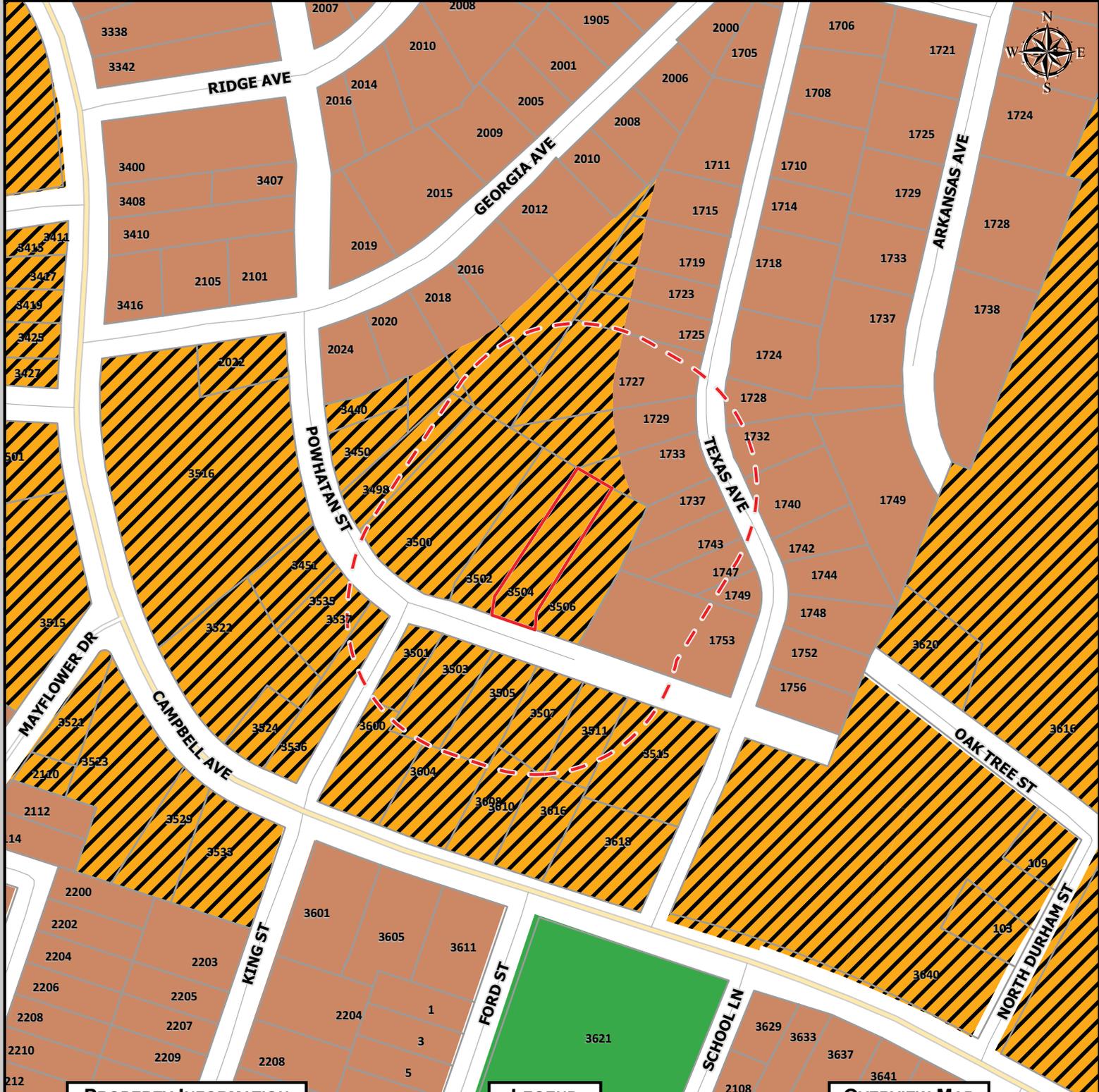
LEGEND

- Subject Property
- 215' Buffer
- B-1
- B-2
- B-3
- B-4
- B-5
- B-6
- I-1
- I-2
- I-3
- R-1
- R-2
- R-3
- R-4
- R-5
- R-C
- IN-1
- IN-2

OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 4/1/2016



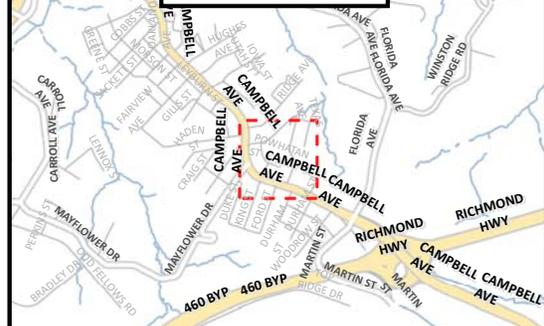
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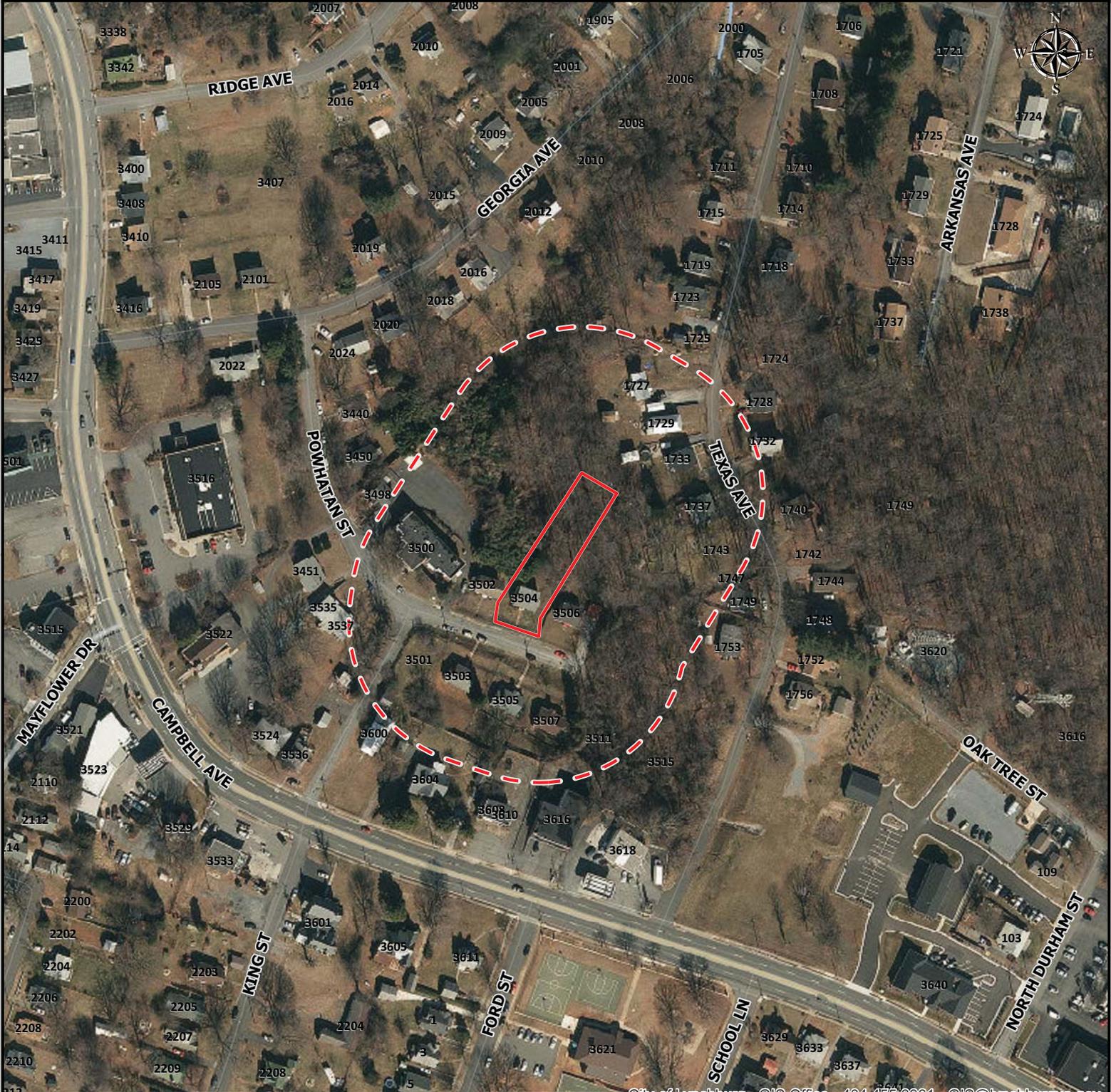
LEGEND

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

OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 4/1/2016



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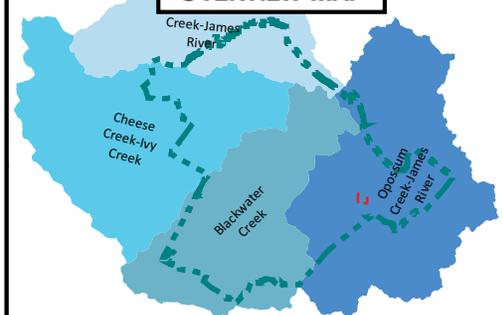
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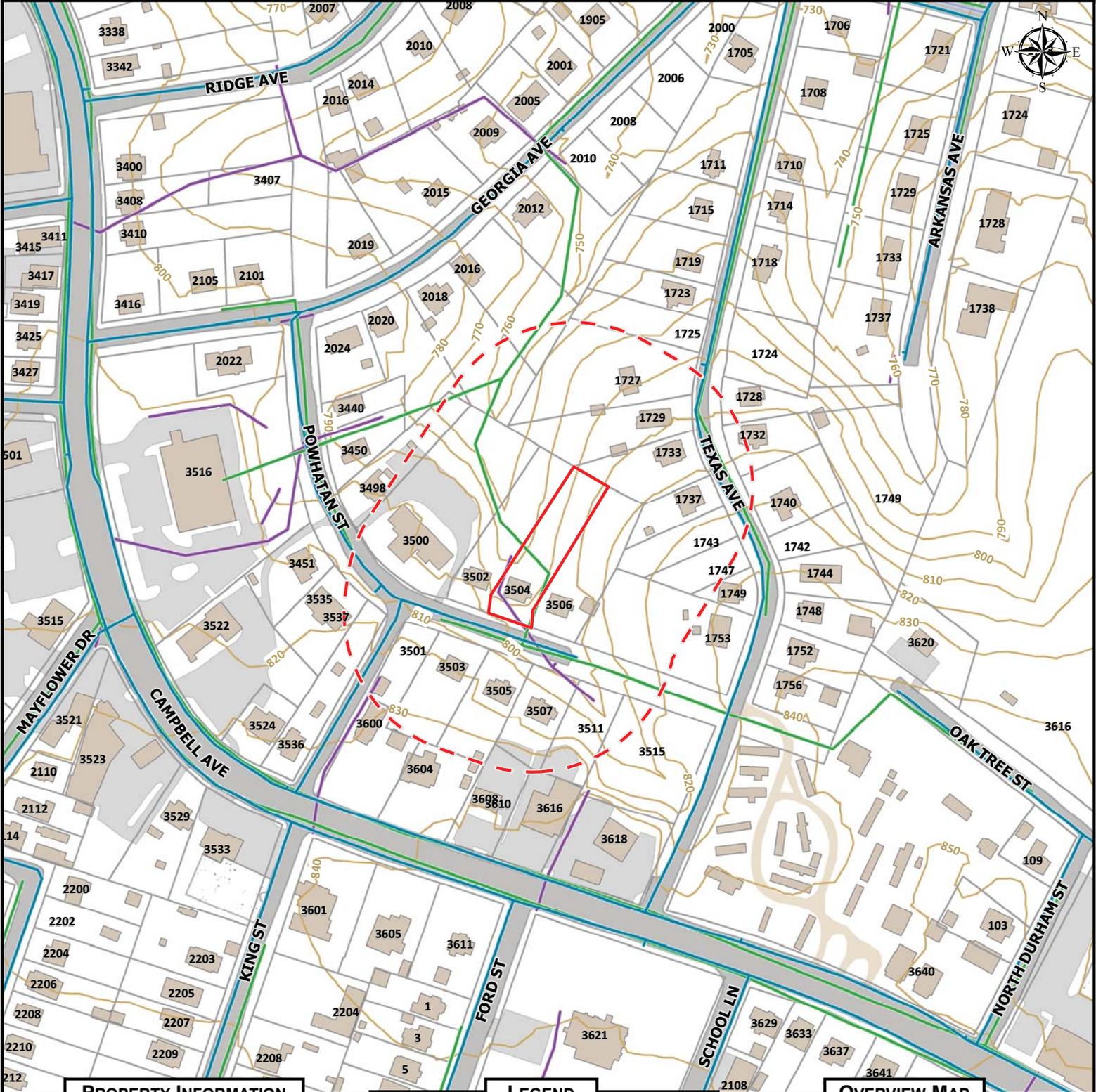
LEGEND

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

OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 4/1/2016



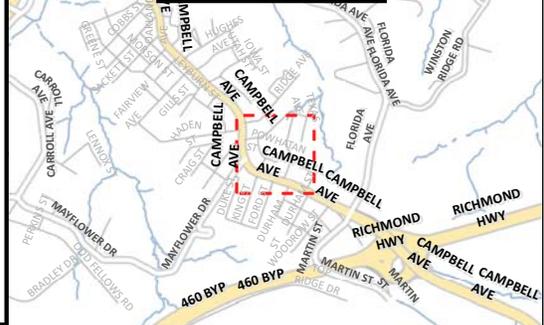
PROPERTY INFORMATION

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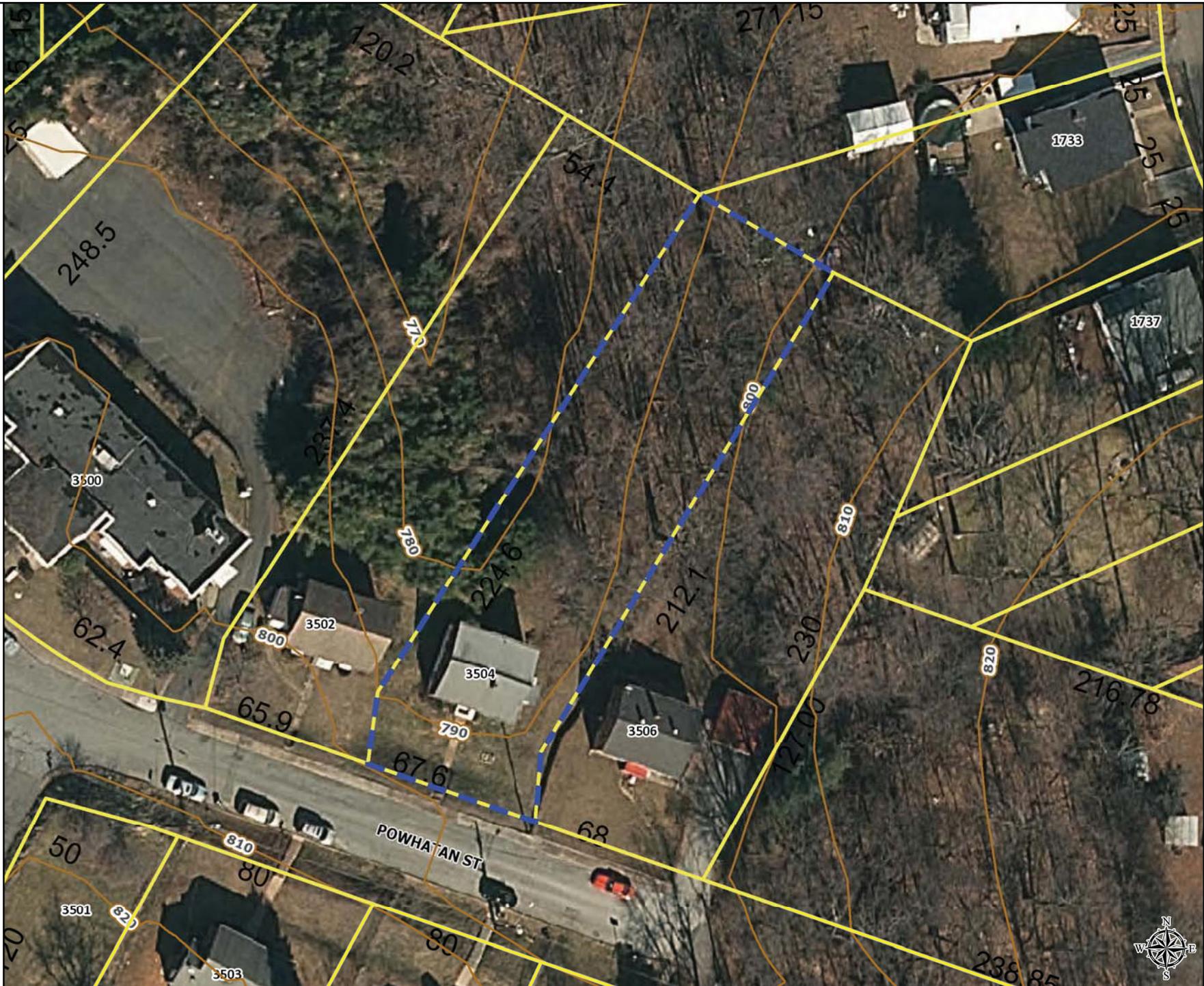
LEGEND

	Active	Proposed	Abandoned
Utilities	Water (solid blue)	Sanitary (dotted green)	Storm (dashed purple)
Planimetrics	Structure (solid grey)	Roadway (solid brown)	Parking (dotted grey)
Topography	Sidewalk (dotted grey)	Driveway (dotted grey)	Contour (solid yellow)

OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 4/1/2016



3405 Powhatan Street Duplex Site Plan



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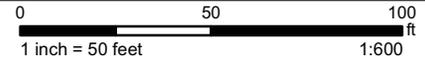
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April 1, 2016



3405 Powhatan Street Duplex Site Plan



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PRINTED ON
April 1, 2016

To Whom It May Concern:

City Spaces LLC, seeks to turn 3504 Powhatan St. Lynchburg Va. Zoned commercial into a duplex housing. This home currently has 2 bedrooms, 1 bath and is approximately 900 square feet with an unfinished basement. The basement is wide open and is 900 square feet as well. Our plan is to finish the basement with two bedrooms, 1 bath. This unit will boast a galley kitchen and living room, dining room combination. The two units will share on street parking.

Unit A:

New Kitchen with vinyl flooring
new laminate countertops
new cabinets
new appliances
Dark hardwood flooring throughout (except kitchen and bath)
Vinyl flooring in bathroom
New vanity in bathroom
New shower with surround
Paint throughout house
Exterior boasts new paint around the brick and basement
New windows throughout house
New HVAC

Unit B

Will be a replica of unit A. Everything will be brand new.
We will create a walkway around the house to Unit B
New contemporary landscaping

Parking:

Parking will be off street parking on the dead end street.

Lighting:

Unit A & B will have standard porch lighting at each unit door, as well as, landscaping lights to light pathway around house to unit B.

Landscaping:

The house will be landscaped with mulch, flowers, and shrubs. The pathway to unit B will have pea gravel and pavers leading to the front landing of unit B.

Any questions or concerns please contact:

City Spaces, LLC
Jeremy Toler
708-712-3204
jeremytolercrt@gmail.com

RECEIVED

APR 01 2019

**COMMUNITY
DEVELOPMENT**

Google Maps Powhatan St

3504 Powhatan Street

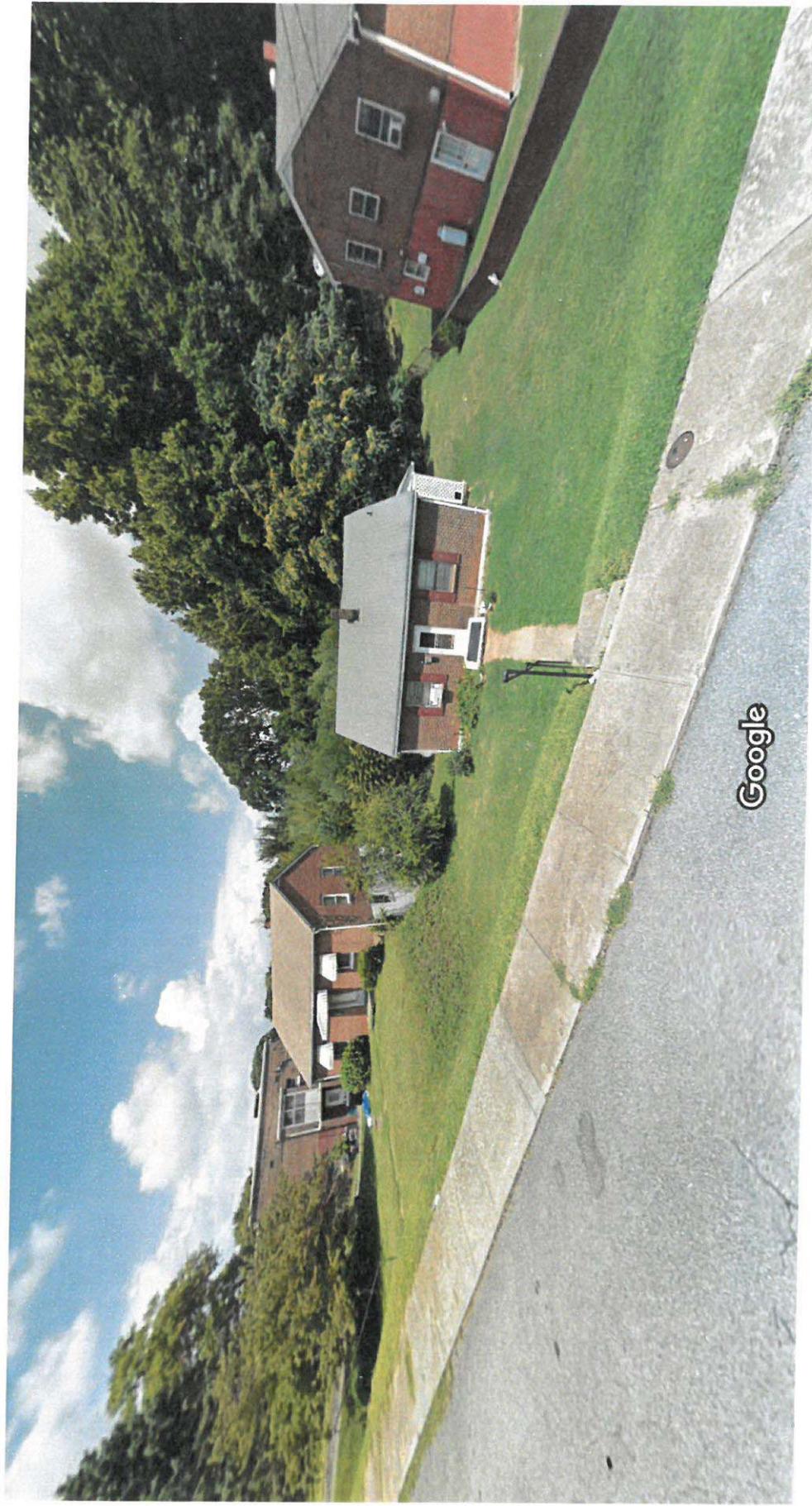


Image capture: Aug 2015 © 2016 Google

Lynchburg, Virginia
Street View - Aug 2015