To: Planning Commission
From: Planning Division
Date: October 11, 2017
Re: Future Land Use Map Amendment: Neighborhood Commercial to Downtown
Rezoning: 712 12th Street – I-2, Light Industrial District to B-4C, Urban Commercial
District (Conditional)

I. PETITIONER
   Mr. Danny George, 712 12th Street, LLC., 712 12th Street, Lynchburg, Virginia 24504
   Representative: Mr. Jamey White, P.E., White Engineering & Design, Inc., 21 Timber Oak
   Court, Lynchburg, Virginia 24502

II. LOCATION
   The subject property is located at 712 12th Street and contains approximately five-hundred and
   eighty-four thousandths (.584) of an acre.
   Property Owner(s):
   712 12th Street, LLC., 712 12th Street, Lynchburg, Virginia 24504

III. PURPOSE
   The purpose of the petition is to rezone the property to allow the existing building to be
   redeveloped into apartments.

IV. SUMMARY
   • The petition rezones the property from I-2, Light Industrial District to B-4, Urban
     Commercial District to allow for the use of the building as apartments.
   • The Future Land Use Map (FLUM) recommends a Neighborhood Commercial use for the
     area. The petitioner has requested to change the FLUM designation to Downtown to allow
     for apartments. The FLUM in this area should be looked at with the Downtown2040
     Master Plan.
   • The 12th Street corridor is designated as a Revitalization Area on the Plan Framework Map.
     This proposal meets the goals of the Revitalization Areas by adaptively reusing a historic
     building, decreasing vacancy and blight, taking advantage of existing infrastructure to
     accommodate more residents, and improving the appearance of a downtown gateway.
   • The developer plans to use State and Federal Historic Tax Credits in the rehabilitation of
     the property. This will ensure the preservation of any historic features on the building.
   • No parking is required for apartments in a B-4, Urban Commercial District. However, the
     petitioner has proffered to provide the parking spaces shown on the concept plan.

   The Planning Division recommends approval of the FLUM amendment and
   rezoning petition.
V. FINDINGS OF FACT

1. Comprehensive Plan. The Future Land Use Map (FLUM) from the Comprehensive Plan 2013-2030 recommends a Neighborhood Commercial use for the properties. These areas are intended to consist primarily of office, retail, personal service, and restaurant uses that are scaled and designed to be compatible with and serve their immediate neighborhood. Patrons can walk, bike or take a short drive to reach them. They are comprised of individual businesses, clusters of businesses, or small shopping centers. Residential uses may be established on the upper floors of commercial structures or as transitional structures between residential and commercial buildings. (p. 75)

The petitioner has requested to amend the parcel’s FLUM designation to Downtown. Downtown is the central commercial core of the City and appropriately contains a mix of retail, entertainment, restaurant, office, employment, residential, public, park and institutional uses. The area should retain its urban character. Demolition of historic buildings and erection of suburban style, low-density/intensity development is inappropriate. (p76)

This change in designation will create an “island” and will look incongruous with the surrounding areas on the FLUM. However, the industrial buildings in this area are a continuation of the urban fabric of downtown and are better suited for apartments and mixed use than small scale commercial. Neighborhood Commercial areas are meant to help blend more intense commercial areas with low-density single-family neighborhoods. This site specifically and the area generally are cut off from the surrounding neighborhoods by the steep topography, making the transition less necessary. As part of the Downtown2040 Master Plan, these areas should be considered for an area-wide FLUM change.

The 12st Street corridor is also designated as a Revitalization Area on the Plan Framework Map. Revitalization areas are those that have experienced decreased vitality and are mainly located among the City’s inner ring of older neighborhoods. These areas are targeted for revitalization based on such factors as high vacancy rates, building obsolescence, proximity to residential areas underserved by retail, traffic, land use conflicts and historic character. (p.62)

As a Revitalization Area, the Comprehensive fully supports the adaptive reuse of this former industrial building as a way to preserve this historic character, take advantage of existing infrastructure, eliminate vacancy and blight, and improve an important gateway to downtown.

2. Zoning. The subject property was annexed into the City in 1870. The existing I-2, Light Industrial District was established in 1978.

3. Proffers. The petitioner has voluntarily submitted the following proffer:

- 712 12th Street LLC will provide the parking shown on the concept plan in compliance with the Zoning Ordinance.

The petitioner has submitted the following proffer statement:

“Providing the parking shown on the concept plan is reasonable and will make the project more attractive for future residents given the current demand for parking at downtown multi-family properties. This will be a benefit to the owner because it creates a competitive advantage by offering an amenity that other downtown properties do not have the space to offer.”

4. Board of Zoning Appeals (BZA). The Zoning Official has determined that no variances are 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 September 9, 1981, City Council approved the petition of Mr. James Young at 1118 and 1120 Harrison Street from I-2, Light Industrial, to R-4, Medium-High Density, Multi-Family Residential District to allow for the construction of five (5) townhouse apartments.

- On December 14, 2004, City Council approved the rezoning request of the Greater Lynchburg Boys and Girls Club of America at 607 12th Street 1101 & 1113 Madison Street from I-2, Light Industrial District, to B-4, Central Business District and to allow the existing building as a meeting place for the Greater Lynchburg Boys and Girls Club of America.

- On July 11, 2006, City Council approved the rezoning of the Federal Hill Historic District and adjacent properties from R-3, Medium-Density, Two-Family Residential District, R-4, Medium-High Density, Multi-Family Residential District and B-5, General Business District to R-2, Low-Medium Density, Single-Family Residential District to better reflect the character of the neighborhood.

6. **Site Description.** The property proposed for rezoning includes five-hundred and eighty-four thousandths (.584) of an acre located at 712 12th Street. The existing building was constructed in 1916.

   The property is bordered to the north by residential uses across 12th Street, to the west by Dunbar Middle School tennis courts, to the east by commercial uses, and south by the Dunbar Middle School track.

7. **Proposed Use of Property.** If the petition is approved, the existing building will be redeveloped into twenty-five (25) to thirty (30) apartment units and associated parking will be constructed. The petitioner plans to use State and Federal Historic Tax Credits and consequently will be held to the Secretary of the Interior’s Standards for Rehabilitation, ensuring a sensitive redevelopment of the building and the preservation of its historic character.

8. **Traffic, Parking, Public Transit, and Sidewalks.**

   A transportation analysis was not required by the City’s Transportation Engineer.

   No parking is required by the Zoning Ordinance in the B-4, Urban Commercial District. The petitioner has proffered to provide parking as shown on the concept plan and will provide twenty-seven (27) on site spaces and five (5) on street, publicly available spaces subject to site plan and road, water, sewer plan approval.

   The nearest Greater Lynchburg Transit Company (GLTC) stops are located approximately eight-hundred (800) feet away at the corners of 12th & Grace Streets and 12th & Polk Streets. There is a gap in the sidewalk at 609 and 612 12th Street where walkers will need to cross 12th Street to safely reach the bus stop and downtown. Pedestrian safety may be an issue here and should be addressed as needed.

9. **Stormwater Management.** An erosion and sediment control plan will be required prior to site plan approval. Because the site is located in the City’s Combined Sewer Overflow (CSO) area, the site is exempt from stormwater management.
10. **Emergency Services:** The City’s Police Department had no comments of concern regarding the proposed rezoning. The City’s Fire Marshal noted the need to address requirements of the 2012 Virginia Statewide Fire Prevention Code.

11. **Impact.** The property is currently zoned I-2, Light Industrial District and is recommended for Neighborhood Commercial use on the FLUM. The proposed residential development is permitted by right in the proposed B-4, Urban Commercial District and would agree with the revised FLUM.

The FLUM amendment and rezoning facilitates the adaptive reuse of an existing vacant building, while also preserving an industrial building’s historic character, increasing downtown residency, taking advantage of existing infrastructure, and improving a gateway to downtown. There is some risk in that any use permitted in a B-4 district will be permitted here, however if the petitioner continues with what is proposed, the impact will be only positive for the City.

12. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the rezoning on May 23, 2017. Comments have or will be addressed by the petitioner prior to final 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 712 12th Street, LLC. to amend the Future Land Use Map at 712 12th Street from Neighborhood Commercial to Downtown.

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of 712 12th Street, LLC. to rezone approximately five-hundred and eighty-four thousandths (.584) of an acre located at 712 12th Street from I-2, Light Industrial District to B-4C, Urban Commercial District (Conditional) to allow the conversion of the existing building to apartments subject to following voluntarily submitted proffer:

- 712 12th Street LLC will provide the parking shown on the concept plan in compliance with the Zoning Ordinance.

This matter is respectfully offered for your consideration.

William T. Martin, AICP
City Planner

pc: Ms. Bonnie M. Svrcek, City Manager
Mr. Charles Hartgrove, 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
Mr. Doug Saunders, Building Official
Mr. Kevin Henry, Zoning Administrator
Mr. Jamey White, P.E., Representative
Mr. Danny George, 712 12th Street, LLC., Property Owner

VII. ATTACHMENTS
1. Zoning Map with Adjoining Owners List
2. Future Land Use Map
3. Watershed Map
4. Planimetric and Topographic Map
5. Concept Plan
6. Narrative
7. Property Photographs
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Watershed Map

712 12TH STREET APARTMENTS

Zoning Request

712 12th Street LLC

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**Property Information**

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**Legend**

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

**Overview Map**

- City of Lynchburg - GIS Office - 434.455.3961 - GIS@lynchburgva.gov

**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.

**Map Scale:** 1" to 200'  
**Date Printed:** 10/6/2017
712 12th Street LLC is requesting to be re-zoned from I-2 to B-4 and amend the Future Land Use Map for the City of Lynchburg from a Neighborhood Commercial use to a Downtown designation for the property located at 712 12th Street. This change is consistent with the City’s goals for the area as described in the Lynchburg 2030 Comprehensive Plan and Plan Framework Map, where 12th Street is shown to be a Revitalization Area. The primary advantage created by this change will be to allow the property to be redeveloped into a multi-family building. This will begin to establish the stable mix of residential and non-residential uses desired in Revitalization Areas, increase safety, and help create a more attractive gateway to downtown along 12th street.

The conversion of historic properties into multi-family dwellings has proven to spur commercial, retail, and other reinvestment in areas that have yet to attract the same attention as the city center. Creating homes where people live day and night eliminates vacancy and blight and increases the safety of the area. Security cameras, residents coming and going at all hours, and having lights turned on at night are all deterrents to criminal activity that can otherwise go unnoticed. By increasing the overall safety, the area becomes more attractive to other types of reinvestment, such as retail and dining, that are less likely to venture into transitional areas on their own.

712 12th Street is the first building seen when visitors approach Downtown coming from Mid-Town. Substantial facade improvements that will be made to the exterior of the building, including the restoration of windows, site lighting and landscaping, will provide a more attractive gateway to downtown than the building does currently while serving an industrial use. The project will utilize state and federal historic tax credits and be held to the Secretary of the Interior’s Standards for Rehabilitation, thereby ensuring that the historic integrity and character will be sensitively maintained during the repairs. The Standards place an emphasis on good design, which will create an enhanced quality of life for the residents of the building and add to the intrinsic value of the community as a whole.

In summary, making the change from I-2 to B-4 and adjusting the FLUM will open the door to re-investment for an area currently underutilized. It will allow the successful revitalization seen downtown in the past ten years to expand further up the hill, thereby creating new opportunities for the community to live, work and play.