

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

To: Planning Commission
From: Planning Division
Date: March 27, 2013
Re: Rezoning: 3320 Candler's Mountain Rd., from I-3, Heavy Industrial District to B-5, General Business District (Conditional)

I. PETITIONER

Comeback Inn, LLC, 13900 Eastbluff Rd., Midlothian, VA 23112

Representative: Mr. Norm Walton, Perkins & Orrison, Inc. 27 Green Hill Drive, Forest, VA 24551

II. LOCATION

The subject portion of property to be rezoned totals one and seventy two hundredths (1.72) acres located at 3320 Candler's Mountain Road.

Property Owners: Comeback Inn, LLC (Chris Doyle), 13900 Eastbluff Rd., Midlothian, VA 23112

III. PURPOSE

The purpose of this petition is to rezone the property to B-5, General Business District to allow for conformity with adjoining zoning and to allow for growth of the business in the future on this property.

IV. SUMMARY

- Petition agrees with the *Zoning Ordinance* which permits hotels in B-5, General Business District.
- Petition is consistent with the City of Lynchburg Future Land Use Map (FLUM), which recommends a Community Commercial use for this property.
- The property has been used for hotel/lodging since 1981.

The Planning Division recommends approval of the rezoning petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The property is indicated for Community Commercial use on the *Future Land Use Map (FLUM)*.

The *Comprehensive Plan 2002-2020* provides that Community Commercial uses are characterized by retail, personal service, entertainment and restaurant uses that draw customers from several neighborhoods up to the entire City. Community Commercial areas contain clusters of businesses, often at major intersections and shopping centers (*pg 5.5*).

The existing land use of the property conforms to the underlying Community Commercial future land use.

2. **Zoning.** The subject property was annexed into the City in 1958. The I-3, Heavy Industrial District and B-5, General Business District was established on December 12, 1978 with the adoption of the current *Zoning Map*.

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 September 24, 1986, Council approved the rezoning request of Thomas L. Phillips at 3700 Candler Mountain Road from I-3, Heavy Industrial District and I-2, Light Industrial District to B-5C, General Business District (Conditional), B-3C Community Business District (Conditional), and R-4C Medium-High Density, Multi-Family Residential District to allow for a retail shopping center and townhomes.
 - On September 8, 1987, Council approved the rezoning request of MLB Corporation at 4643 Murray Place from I-3, Heavy Industrial District to B-5C, General Business District (Conditional) to allow for a bowling alley and future ancillary commercial uses.
 - On November 14, 1989, Council approved the rezoning request of NW Development, Inc. at 3600 Candler Mountain Road from I-2, Light Industrial District, to B-3C, Community Business District (Conditional) to allow for retail uses.
 - On July 11, 1989, Council approved the rezoning request of NW Development, Inc. at 3600 and 3700 Candler Mountain Road from I-2, Light Industrial District, B-5C, General Business District (Conditional), B-3C, Community Business District (Conditional), and R-4C, Medium-High Density, Multi-Family Residential District (Conditional) to B-3C, Community Business District (Conditional) to allow for a retail shopping center.
 - On October 9, 1990, Council approved the rezoning request of NW Development, Inc. at 3620 and 3622 Candler Mountain Road from I-2, Light Industrial District and I-3, Heavy Industrial District to B-5C, General Business District (Conditional) to allow the expansion of retail services.
 - On June 13, 1995, Council approved the conditional use permit (CUP) petition of Appalachian Power Company to a one hundred sixty (160) foot tall radio microwave tower at 4001 Mayflower Drive.
 - On June 13, 1995 Council approved the rezoning request of Central Virginia Federal Credit Union at 4640 and 4644 Murray Place, from I-3, Heavy Industrial District to B-5C, General Business District (Conditional) to allow for office uses.
 - On January 15, 2002, Council approved the rezoning request of Carl and Ellen Sanders at 310 and 312 Border Street from I-2, Light Industrial District to B-3C, Community Business District (Conditional) to allow for the property to be used for an ice cream parlor.
 - On April 8, 2008, Council approved the rezoning request of the Lynchburg Chamber of Commerce at 310 and 312 Border Street from B-3C, Community Business District (Conditional) to B-3C, Community Business District (Conditional) to amend proffers and allow for the renovation of the building for the Chamber of Commerce.
5. **Site Description.** The area to be rezoned includes one and seventy two hundredths (1.72) acres located at 3320 Candler Mountain Road. The property is bounded to the north by the bowling alley, to the south (across Candler Mountain Road) by the River Ridge Mall and the expressway to the west.

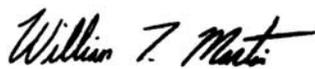
- 6. **Proposed Use of Property.** The proposed use of the property will not change with this petition. The rezoning will allow the hotel use to conform along this portion of the property.
- 7. **Traffic, Parking and Public Transit.** N/A
- 8. **Stormwater Management.** A stormwater management plan addressing both quantity and quality of stormwater related to the development of the property will be required at time of site plan submittal if expansion of the hotel use is desired. A determination of an "adequate conveyance and downstream receiving channel" for stormwater runoff from the site will also need to be submitted at the time of expansion of the use.

The City's Environmental Reviewer has reviewed the preliminary site plan and drainage calculations and is in agreement with the proposed measures and findings.
- 9. **Emergency Services.** N/A
- 10. **Impact.** The impact of the rezoning is negligible because it allows for conformance of the property to the *FLUM* and provides a means for the hotel to grow within the existing property. If an expansion of the hotel is proposed in the future, it will require a commercial site plan review that will further assess the impacts upon the area. Removing the split zoning of I-3, Heavy Industrial District from the property allows the property to be used as a conforming use.
- 11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the rezoning petition on March 5, 2013. Comments have or will be addressed prior to any 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 Comeback Inn, LLC to rezone approximately one and seventy two hundredths (1.72) acres located at 3320 Candler Mountain Road from I-3, Heavy Industrial District to B-5, General Business District to allow for the hotel use to be considered a conforming use at 3320 Candler Mountain Road.

This matter is respectfully offered for your consideration.



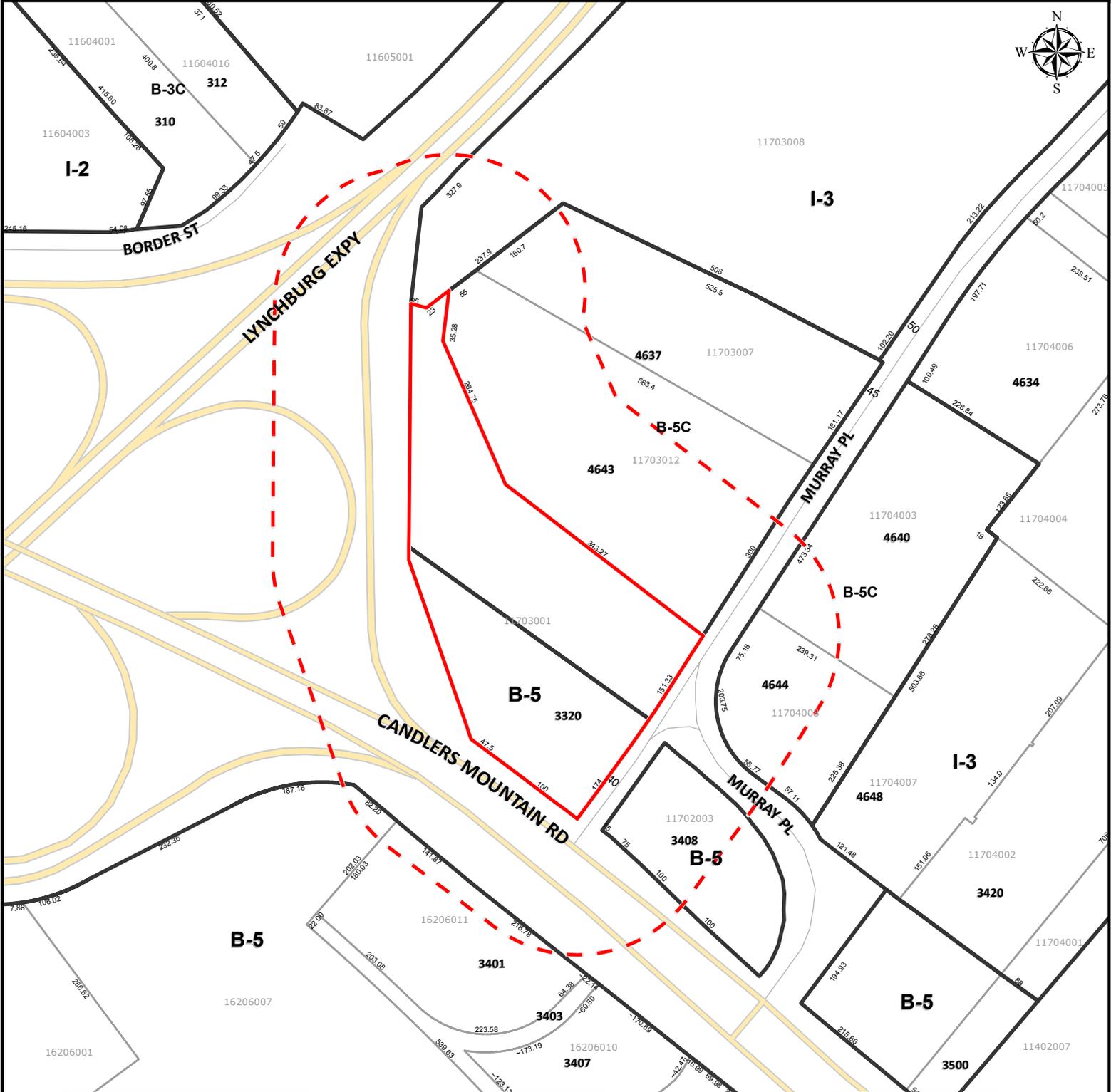
William T. Martin, AICP
City Planner

- 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
 Captain Thomas Mack, Acting Fire Marshal
 Mr. Donald DeBerry, Transportation Engineer

Mr. Doug Saunders, Building Commissioner
Mr. Robert Fowler, Zoning Administrator
Mr. Jacob Dorman, Environmental Reviewer
Ms. Marjette Upshur, Director of Economic Development
Mr. Chris Doyle, Comeback Inn, LLC
Mr. Norm Walton, Perkins & Orrison

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
11703001	3320 CANDLERS MOUNTAIN RD

LEGEND

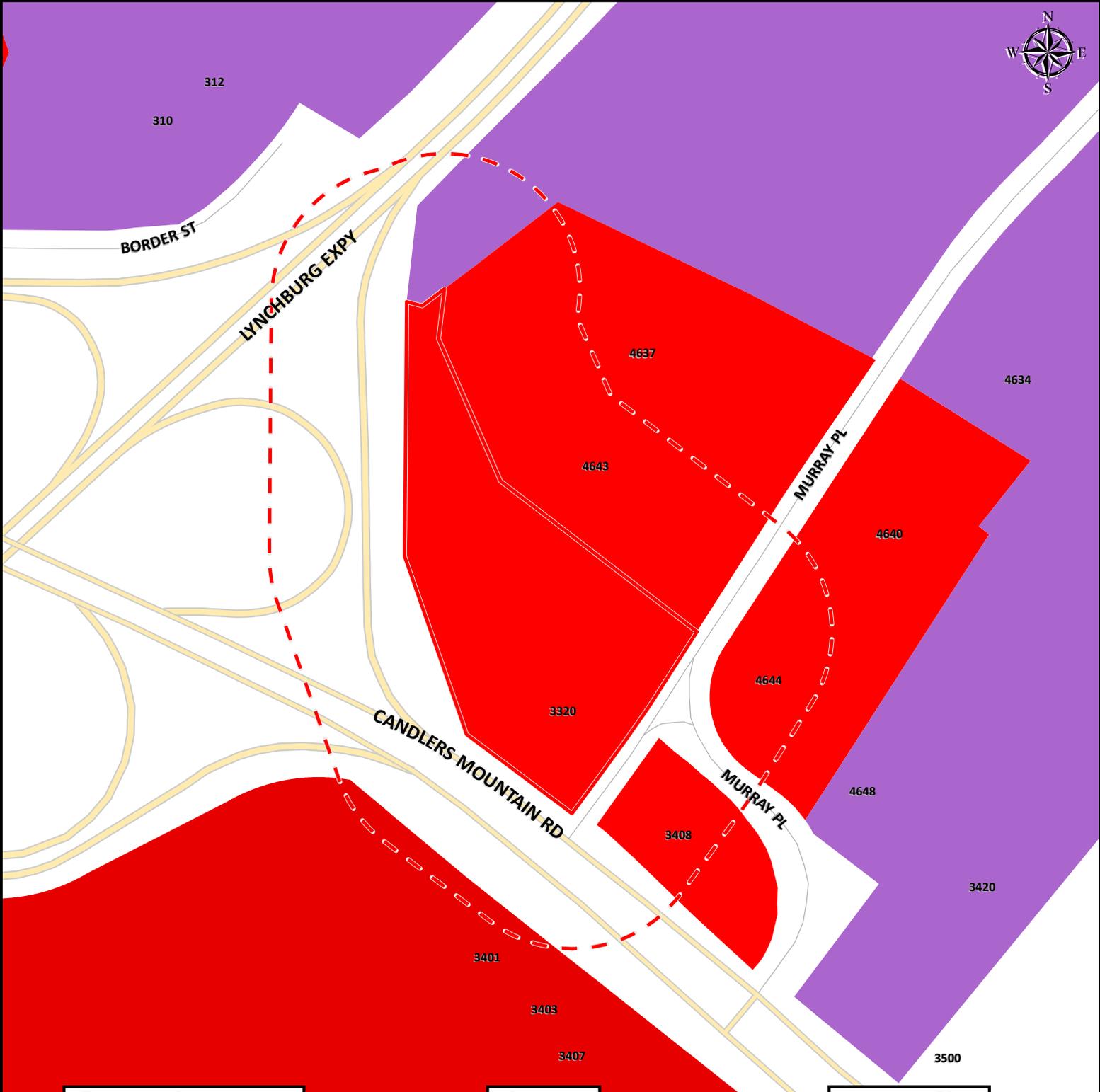
-  Subject Property
-  200' Buffer
-  Zoning Boundary

OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 03/15/2013

PIN	Local Address	Owner
11703008	4621 MURRAY PL	AIR & LIQUID SYSTEMS CORP
16206011	3401 CANDLERS MOUNTAIN RD	BACKYARD REAL ESTATE LLC
11702003	3408 CANDLERS MOUNTAIN RD	CENTRAL FIDELITY BANK NA LYNCH
11703001	3320 CANDLERS MOUNTAIN RD	COMEBACK INN LLC
11703012	4643 MURRAY PL	ISTAR BOWLING CENTERS II LP
11703007	4637 MURRAY PL	ISTAR BOWLING CENTERS II LP
16206007	3385 CANDLERS MOUNTAIN RD	LIBERTY UNIVERSITY INC
11704003	4640 MURRAY PL	RECP III LYNCHBURG CY LLC
11704008	4644 MURRAY PL	SRC PROPERTIES



PROPERTY INFORMATION

PARCEL ID	ADDRESS
11703001	3320 CANDLERS MOUNTAIN RD

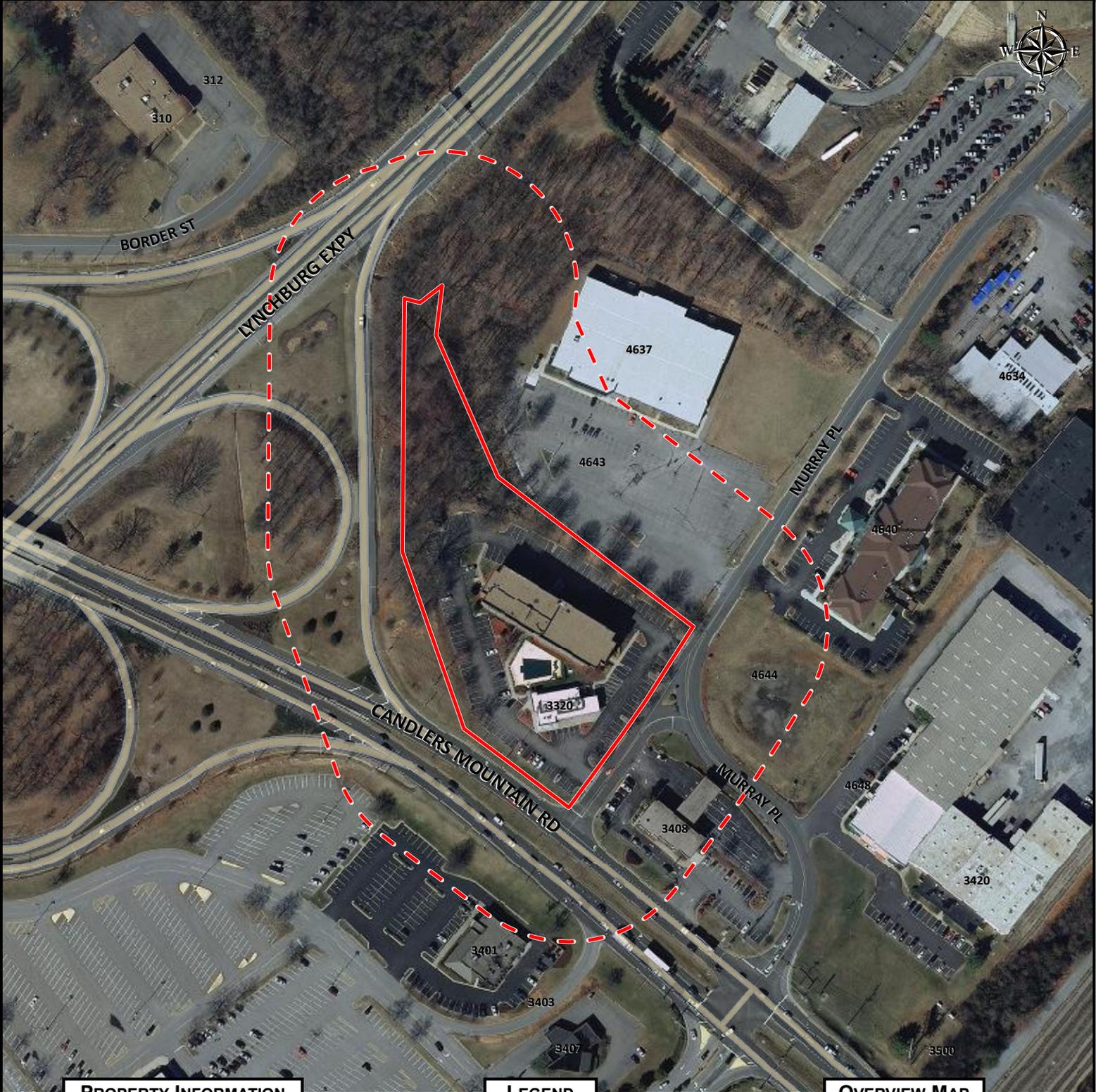
LEGEND

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

OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 03/15/2013



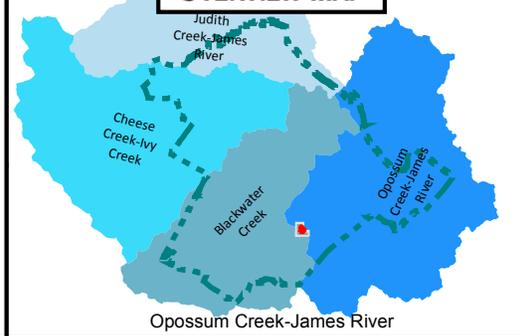
PROPERTY INFORMATION

PARCEL ID	ADDRESS
11703001	3320 CANDLERS MOUNTAIN RD

LEGEND

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

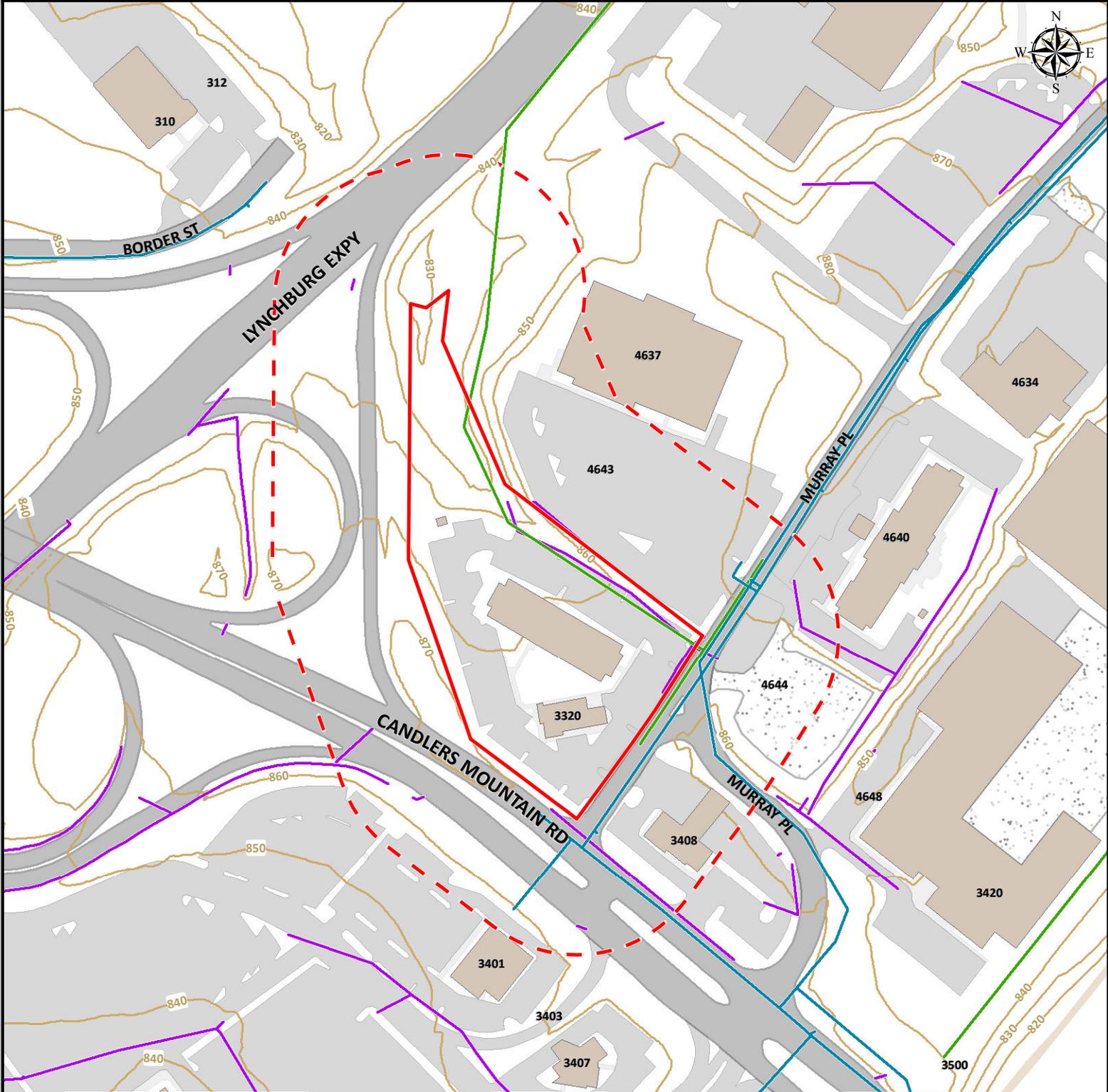
OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 03/15/2013

Opossum Creek-James River

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.



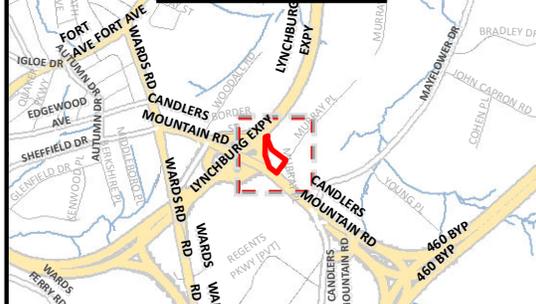
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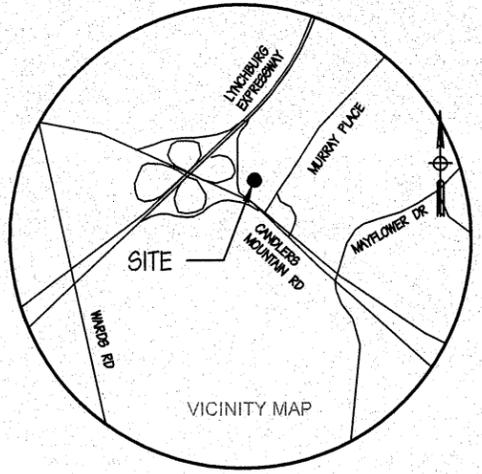
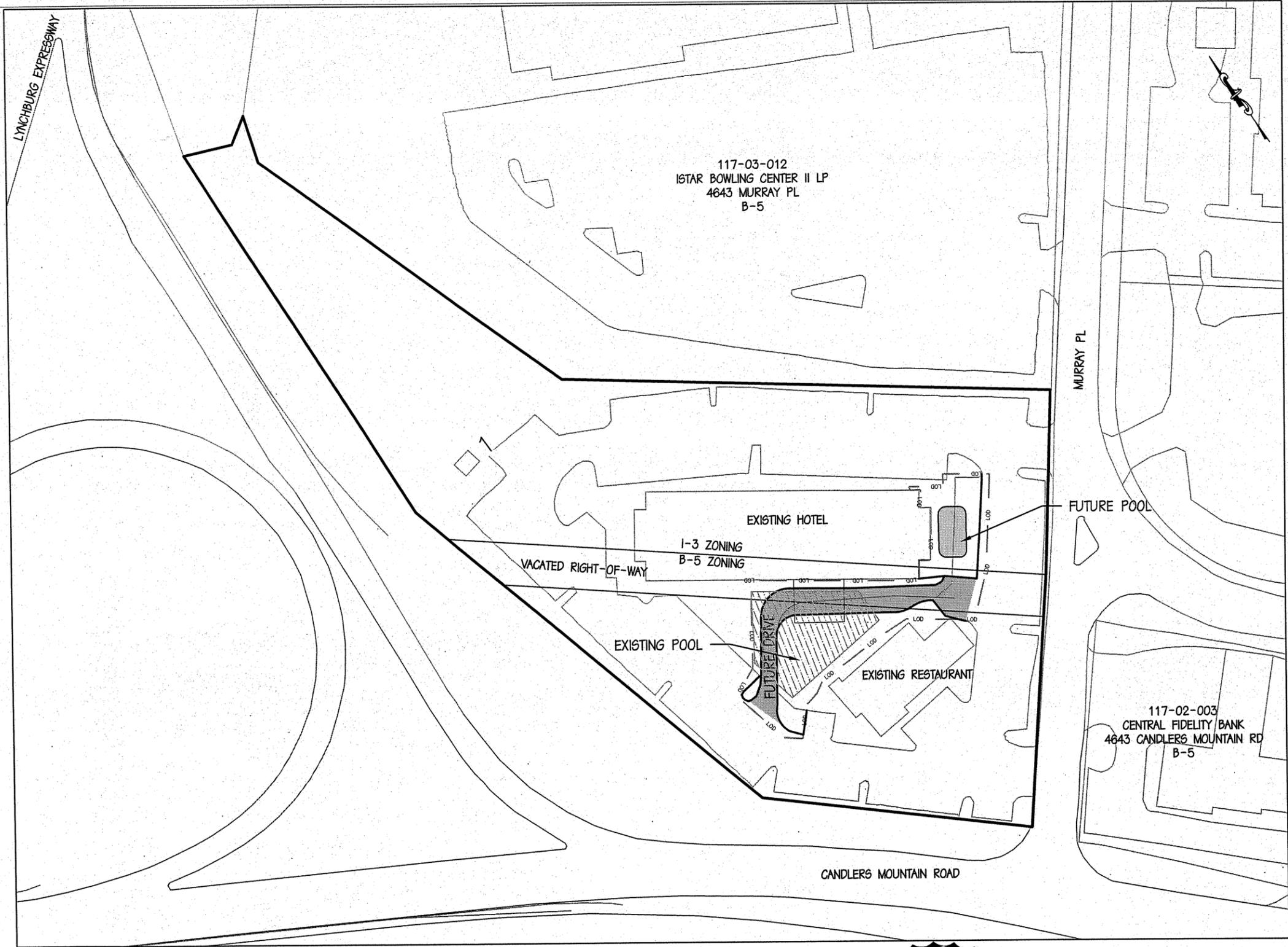
	Active	Proposed	Abandoned	
Utilities	Water (solid blue)	Sanitary (dotted green)	Storm (dotted purple)	
Planimetrics	Paved (solid grey)	Unpaved (dotted tan)	Other (solid tan)	
	Roadway (solid grey)	Parking (dotted grey)	Sidewalk (solid grey)	
	Driveway (solid grey)			
	Topography	Contour (solid tan)	10' Obs (dotted tan)	

OVERVIEW MAP



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PROPERTY INFORMATION:

PARCEL ID: 117-03-001

PROPERTY ADDRESS:
 3320 CANDLER'S MOUNTAIN ROAD

OWNER/ REZONING APPLICANT:
 COMEBACK INN, LLC C/O CHRIS DOYLE

TOTAL ACREAGE: APPROXIMATELY 2.96 ACRES

TOTAL AREA TO BE REZONED: 1.72 AC.

CURRENT ZONING: I-3

PROPOSED ZONING: B-5

CURRENT USE: HOTEL

PROPOSED USE: HOTEL

THIS PROPERTY IS IN FLOOD ZONE X, PER FEMA PANEL NO. 5100930106D, DATED 06/03/2008

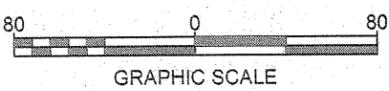
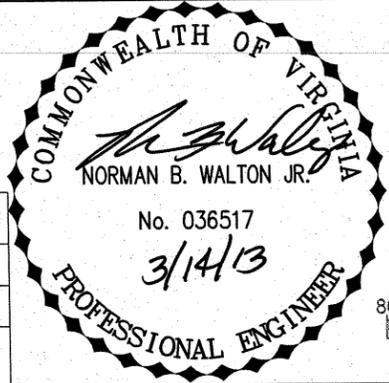
- NOTES:**
1. THE PURPOSE OF THIS PLAN IS TO DEMONSTRATE THE AREA FOR THE REZONING REQUEST AND TO SHOW THE EXISTING USE.
 2. THE ENTRY IMPROVEMENTS AND PROPOSED POOL AREA ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY. AN ACTUAL SITE PLAN WILL BE SUBMITTED FOR THE CONSTRUCTION OF THESE ELEMENTS TO CONFORM WITH THE PROPOSED ZONING.

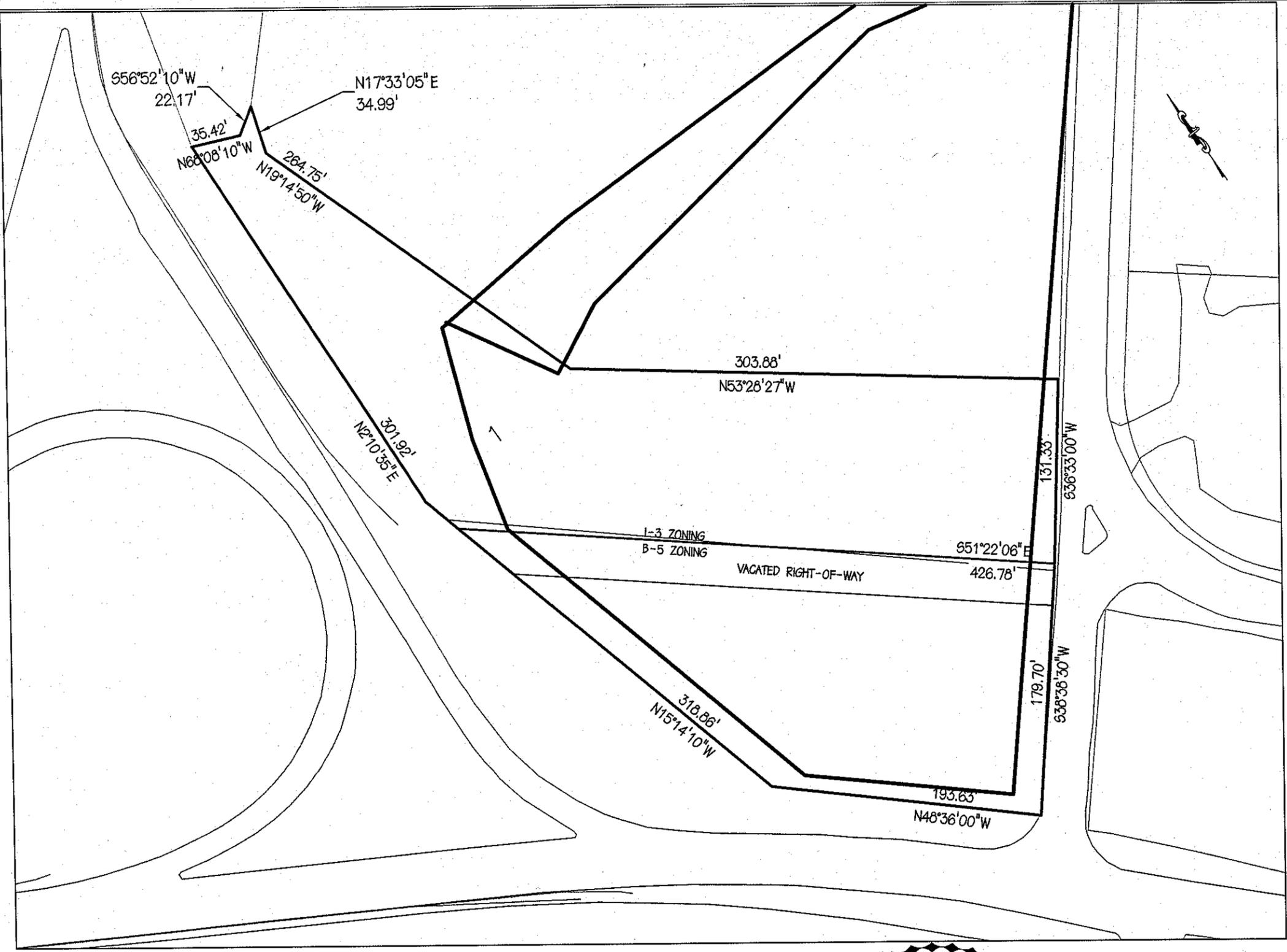
PERKINS & ORRISON
 ENGINEERS ▲ PLANNERS ▲ SURVEYORS

27 GREEN HILL DRIVE, FOREST, VIRGINIA 24551
 PHONE: 434-525-5985 FAX: 434-525-5986
 EMAIL: pno@perkins-orrison.com

REZONING PLAN
 COMEBACK INN, LLC
 3320 CANDLER'S MOUNTAIN ROAD
 LYNCHBURG, VIRGINIA

ISSUE: 02/19/13
CONTOUR INTERVAL: N/A
DRAWN BY: NBW/MJD
CHECKED BY: NBW





NOTES:

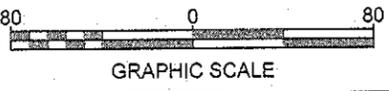
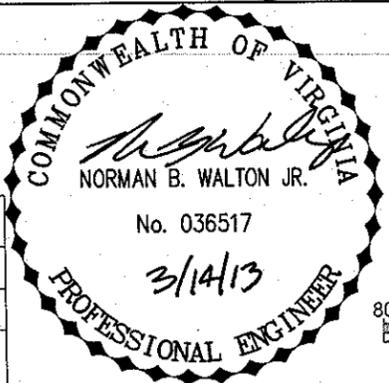
1. THE BOUNDARY INFORMATION WAS TAKEN FROM PLAT TITLED "PLAT SHOWING PART OF LOTS 1-5, 34 & 35, HOLCOMB ADAMS CHICKEN FARM", DATED JAN 5 1981, BY HURT & PROFFITT, INC., DB 602 PG 790.



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CONTOUR INTERVAL: N/A
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Lexington

Wes Perkins, LS
Russ Orrison, PE, LS

Susan Perkins
Pierson Hotchkiss, LS
Dave Walsh



Lynchburg

Kenneth Knott, LS
Norman Walton, PE

Aaron Dooley, LS

February 19, 2013
Rev. March 14, 2013

Tom Martin
City of Lynchburg
900 Church Street
Lynchburg, VA 24502

RE: Rezoning Narrative – I-3 to B-5
TM# - 117-03-001

Dear Mr. Martin

On behalf of Comeback Inn, LLC., I am submitting this rezoning plan and narrative for the rezoning of the above referenced parcels from I-3 to B-5. The property's current use is a hotel. This use is not changing with this rezoning. Rather, this rezoning request is making the parcel a contiguous zoning, reflective of the comprehensive plan and FLUM, and uniform with its current use.

The rezoning plan demonstrates the two zonings (I-3 and B-5) across this property. This plan also demonstrates the current use, allowed in a B-5, crossing the zoning line into the I-3 portion of the property. The rezoning plan clearly shows that the portion of this parcel that is I-3 is a small strip that was apparently neglected when the surrounding areas was zoned B-5.

The Comprehensive Plan and the Future Land Use Map have this property listed as Community Commercial, which is consistent with the current use. This rezoning does not require an amendment to the Future Land Use Map.

The use of the property will not change with this rezoning. There are improvements planned to the site. The existing pool is planned to be relocated from the south side of the hotel to the east

17 W. Nelson Street · P.O. Box 1567
Lexington, Virginia 24450

27 Green Hill Drive
Forest, Virginia 24551

540-464-9001 Fax: 540-464-5009

434-525-5985 Fax: 434-525-5986

Email: pno@perkins-orrison.com

side of the hotel to allow improvements to the entry. The site for the new pool is in the area being rezoned. This primary purpose of this rezoning request is simply to make this property uniform in its zoning for the entire parcel.

Should you have any questions regarding this information, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Norman B. Walton, Jr.", written in a cursive style.

Norman B. Walton, Jr., P.E.
Perkins & Orrison, Inc.

