

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

To: Planning Commission
From: Planning Division
Date: August 10, 2016
Re: **Conditional Use Permit (CUP) – James River Day School – 5039 Boonsboro Road and 110 Bon Ton Circle**

I. PETITIONER

James River Day School Inc., 5039 Boonsboro Road, Lynchburg, Virginia 24503
Representative: Mr. Scott Beasley, Hurt & Proffit, Inc., 2524 Langhorne Road, Lynchburg, Virginia 24501

II. LOCATION

The subject property consists of two (2) tracts totaling approximately eleven acres located at 5039 Boonsboro Road and 110 Bon Ton Circle.

Property Owner: James River Day School, Inc., 5039 Boonsboro Road, Lynchburg, Virginia 24503

III. PURPOSE

The purpose of the petition is to allow the construction of a six thousand two hundred (6,200) square foot, two (2)-story building addition at the southeast corner of the existing school, the construction of recreation and playground areas and to allow the use of the existing structure at 110 Bon Ton Circle as storage.

IV. SUMMARY

- The *Comprehensive Plan 2013-2030 Future Land Use Map (FLUM)* recommends Institutional and Low Density Residential uses for the properties.
- Schools and their associated uses are permitted in R-1, Low Density Residential Districts upon approval of a Conditional Use Permit by City Council.
- No new students are proposed as a result of the building addition.

The Planning Division recommends approval of the CUP petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The *Comprehensive Plan 2013-2030* recommends an Institutional use for the majority of the property. 108 Bon Ton Road and 110 Bon Ton Circle are indicated as Low Density Residential uses but are currently owned by the petitioner. Areas recommended for Low Density Residential may include public and institutional uses compatible in scale with single family residential homes. (p72) Institutional land uses include religious, educational, and other nonprofit entities. Examples include churches, cemeteries, private schools and universities, private nonprofit hospitals, service clubs and organizations and other nonprofit institutions. (p. 76)
2. **Zoning.** The subject property was annexed into the City in 1976. The existing R-1, Low Density Residential zoning was established in 1978. The school is currently operating under conditional use permits approved by City Council in 1987, 1996, 1998 and 2013.

3. **Board of Zoning Appeals (BZA).** The Board of Zoning Appeals (BZA) granted variances on June 28, 2016. The variances would allow the construction of a basketball court and playground sixty-one (61) feet from the nearest residential zoned lot instead of the required two hundred (200) feet and allow a twelve (12)-foot buffer in lieu of the required twenty (20)-foot buffer.
4. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - On May 8, 1984, City Council approved the CUP petition of Carriage Associates to allow the construction of a forty (40) unit Planned Unit Development at 5021 Boonsboro Road.
 - On March 3, 1987, City Council approved the CUP petition of Lynchburg Day School (James River Day School) to allow the construction of a building addition at 5039 Boonsboro Road.
 - On September 12, 1989, City Council approved the Comprehensive Growth Management Program for the Northwest Expressway Area. This study established zoning for several surrounding parcels.
 - On April 9, 1996, City Council approved the CUP petition of Lynchburg Day School (James River Day School) to allow the construction of a media center, classrooms, gym and entrance from Boonsboro Road, parking and playing fields at 5039 Boonsboro Road.
 - On April 14, 1998, City Council approved the CUP petition of James River Day School to allow the construction of additions to the gym, classrooms, offices, food services drive and additional parking at 5039 Boonsboro Road.
 - On June 9, 1998, City Council denied the CUP Petition of Manorhouse Retirement Centers to allow the construction of an assisted living and retirement center at 5040 Boonsboro Road.
 - On September 11, 2007, City Council denied the CUP petition of McKenna Farms, LLC to allow the construction of a Cluster Commercial Development at 5040 Boonsboro Road.
 - On October 22, 2013, City Council approved the CUP petition of James River Day School to allow the use of a modular building to be used as a classroom at 5039 Boonsboro Road and to allow the dwelling located at 108 Bon Ton Road to be used for educational purposes.
5. **Site Description.** The subject property consists of two (2) tracts comprising approximately eleven (11) acres located at 5039 Boonsboro Road and 110 Bon Ton Circle. The property contains a thirty-nine thousand two hundred fifty-nine (39,259) square foot school building, a thirteen thousand three hundred thirty-two (13,332) square foot gymnasium, athletic fields, playground areas and parking. The property also contains a one-story wood frame, brick veneer structure formally known as 108 Bon Ton Road. The property located at 110 Bon Ton Circle contains a one-story, wood frame, vinyl sided structure containing one thousand five hundred thirty-five (1,535) square feet.

6. Proposed Use of Property. The purpose of the petition is to allow the construction of a six thousand two hundred (6,200) square foot, two (2) story building addition at the southeast corner of the existing school, the construction of recreation and playground areas and to allow the use of the existing structure at 110 Bon Ton Circle as storage.

7. Traffic, Parking and Public Transit. The City’s Transportation Engineer had no comments of concern regarding the proposed use.

The property contains seventy-four (74) parking spaces. Since the proposed uses would not add additional employees or students, additional parking will not be required.

The property is not currently served by the Greater Lynchburg Transit Company. The closest route (Route 3B) is located at 4925 Boonsboro Road (Boonsboro Shopping Center) approximately one-half mile from the property.

As part of the development, sidewalks will be constructed along the property frontages on Boonsboro Road, Bon Ton Road and Bon Ton Circle.

8. Stormwater Management. A stormwater management/erosion and sediment control plan will be required prior to final site plan approval. The submitted plan indicates a stormwater management facility will be located in the southwestern corner of the development area and a rain garden is proposed adjacent to the proposed building addition.

9. Emergency Services: The City Fire Marshal requested that fire flow calculations be submitted and fire access be provided to the rear of the proposed building addition. Fire access has been indicated on the submitted plan and fire flow calculations will be provided prior to final site plan approval.

The Police Department had no comments of concern.

10. Impact. The proposed improvements should have minimal negative impact on the surrounding area. The proposed two (2) story building addition will be used as four (4) classrooms, office, storage and meeting space. The exterior of the addition will match the existing structure. The playground areas will allow better access to the existing athletic fields and need to be relocated as a result of the building addition.

The main campus (5039 Boonsboro Road) is currently served by city water and sewer. The structure located at 108 Bon Ton Road is served by public water; however, it is on a private septic system. The property proposed for storage at 110 Bon Ton Circle is served by private water and septic system.

The petitioner was granted variances from the BZA on June 28, 2016 to allow the construction of a basketball court and playground sixty-one (61) feet from the nearest residential zoned lot instead of the required two hundred (200) feet and allow a twelve (12)-foot buffer in lieu of the required twenty (20)-foot buffer. The petitioner currently owns two (2) of the three parcels on the southern side of Bon Ton Circle (110 Bon Ton Road and 110 Bon Ton Circle). According to the petitioner, there is a verbal commitment to purchase the property at 118 Bon Ton Circle at a later date.

Planning staff received one inquiry concerning the proposed improvements from the owner of 5059 Boonsboro Road. The primary concern was tree clearance on the southwestern corner of the property (none proposed) and students going into this area during athletic events. It is recommended that the petitioner contact the property owner to alleviate concerns.

11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the conditional use permit on May 3, 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 James River Day School to allow the construction of a building addition, playground and basketball court at 5039 Boonsboro Road and to allow the use of the property at 110 Bon Ton Circle as storage subject to the following conditions:

1. **The property will be developed in substantial compliance with the concept plan entitled “Conditional Use Plan for James River Day School dated July 30, 2016.**
2. **There will be no increase in enrollment.**

This matter is respectfully offered for your consideration.

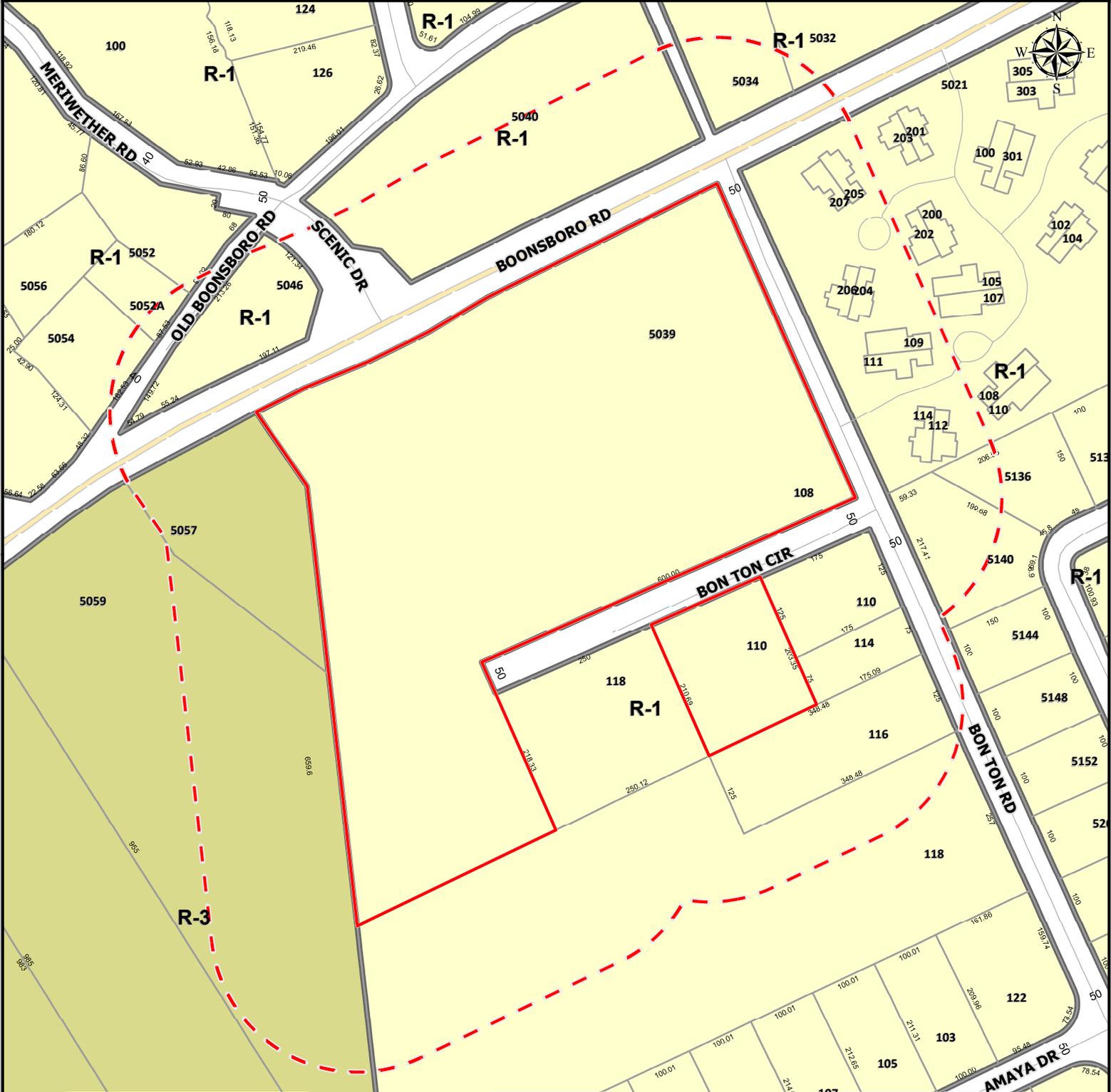


William T. Martin, AICP
City Planner

pc: Ms. Bonnie M. Svrcek, City Manager
Ms. Margaret Schmitt, Interim 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
Ms. Maggie Cossman, Transportation Engineer
Mr. Doug Saunders, Building Official
Mr. Kevin Henry, Zoning Administrator
Mr. Peter York, Petitioner
Mr. Scott Beasley, Representative

VII. ATTACHMENTS

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



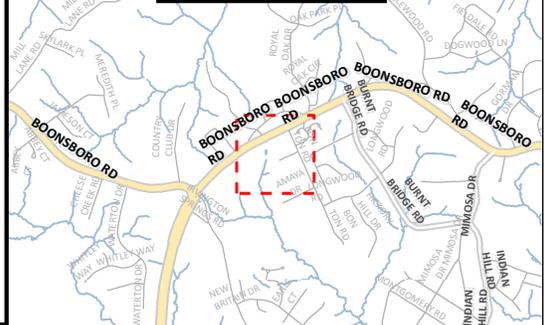
PROPERTY INFORMATION

PARCEL ID	ADDRESS
20314002	5039 BOONSBORO RD
21001016	110 BON TON CIR

LEGEND

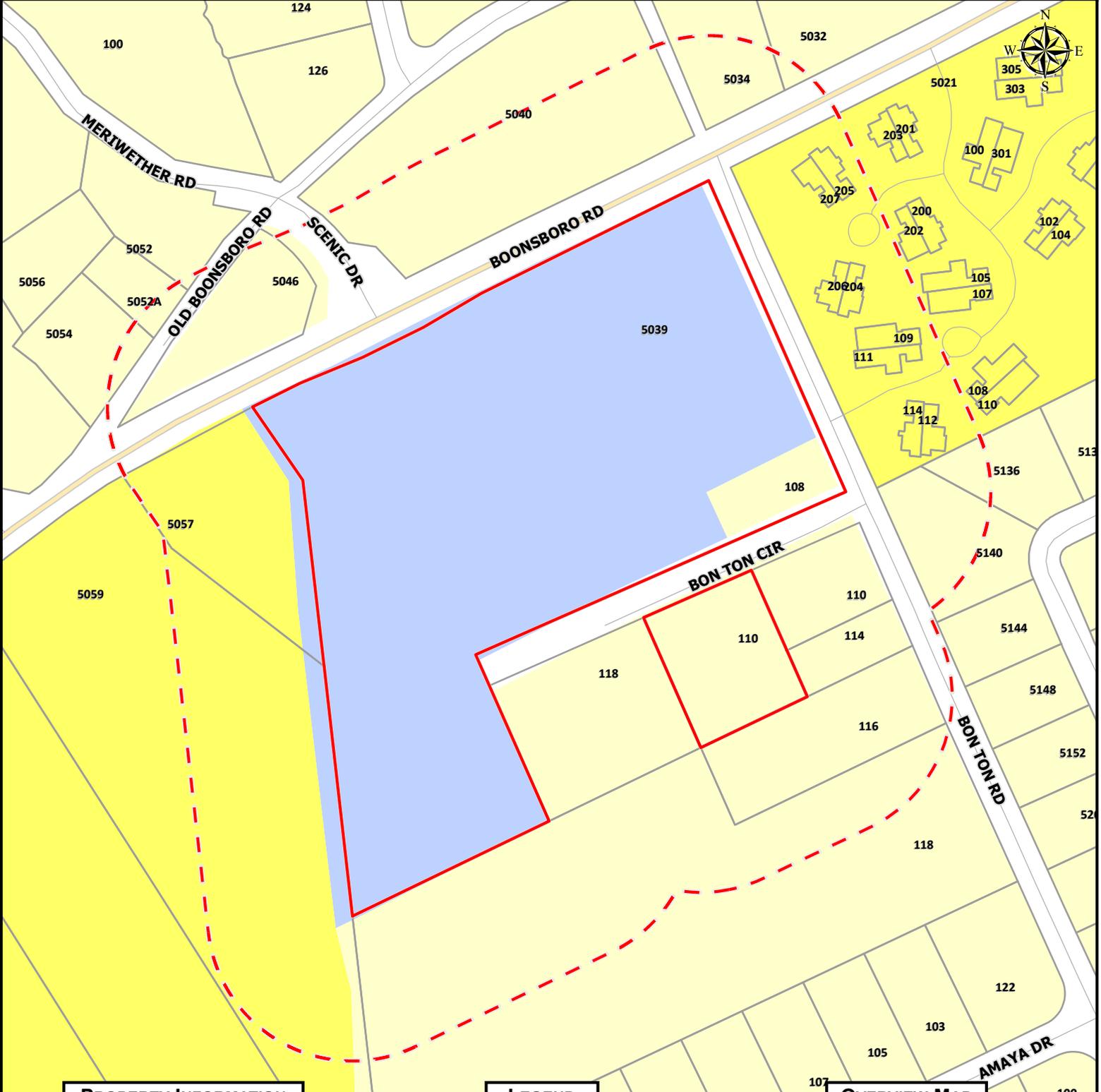
- Subject Property**
- 215' Buffer**
- B-1**
- B-3**
- B-4**
- B-5**
- R-1**
- R-2**
- R-3**
- R-4**
- I-1**
- I-2**
- I-3**
- IN-1**
- IN-2**
- R-C**

OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 7/27/2016

Parcel ID	Address	Owner
20309001	5032 BOONSBORO RD	ROBERTSON, ELIZABETH B TRS
21001014	116 BON TON RD	TINSLEY, EDWARD F & MARY W
20312004	5054 BOONSBORO RD	MARTIN, CATHERINE M TRS
20309003	5040 BOONSBORO RD	MCKENNA, WALLACE JR & JOHN H &
20314004	110 BON TON RD	JAMES RIVER DAY SCHOOL
18301015	5136 WEDGEWOOD RD	DOUGLAS, PATRICIA H
20309002	5034 BOONSBORO RD	CASH, MARY-MARGARET P
18308008	204 SAINT JAMES PL	MATTHEWS, JOHN F & VERONIQUE J H
18308007	206 SAINT JAMES PL	SPARKS, CAROLYN C
18308032	111 CARRIAGE WAY	TAURMAN, BERTRAM O JR & JANE R
21001013	118 BON TON RD	TINSLEY, FRANK N & GRACIE D
21003001	5059 BOONSBORO RD	HUBBARD, SAMUEL M JR
20314008	5057 BOONSBORO RD	NORTON, MATTHEW R & MICHELLE B
21001017	118 BON TON CIR	GRANDSTAFF, TIMOTHY F & THERESA G
20309004	5046 BOONSBORO RD	BARTLETT, GEORGE E & LOIS J
18308006	207 SAINT JAMES PL	MATTHEWS, JOHN S & SHIRLEY M
18301016	5140 WEDGEWOOD RD	SMITH, JERRY B & MARTHA C
18308027	112 CARRIAGE WAY	MERIWETHER, MARY S
18308031	109 CARRIAGE WAY	DODD, LEIGHTON B & MARYANN
20314002	5039 BOONSBORO RD	LYNCHBURG DAY SCHOOL INC
20312001	5052 BOONSBORO RD	REID, BETTY M
18308033	5021 BOONSBORO RD	CARRIAGE ASSOCIATES
18308028	114 CARRIAGE WAY	RICHARDS, ALEXIS V TRS
21001015	114 BON TON RD	PLOTT, JANE O
18308005	205 SAINT JAMES PL	DANIEL, DAWN S
21001016	110 BON TON CIR	JAMES RIVER DAY SCHOOL INC
20312002	5052 A BOONSBORO RD	REID, BETTY M



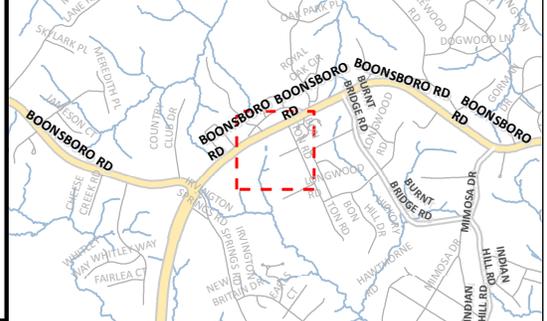
PROPERTY INFORMATION

PARCEL ID	ADDRESS
20314002	5039 BOONSBORO RD
21001016	110 BON TON CIR

LEGEND

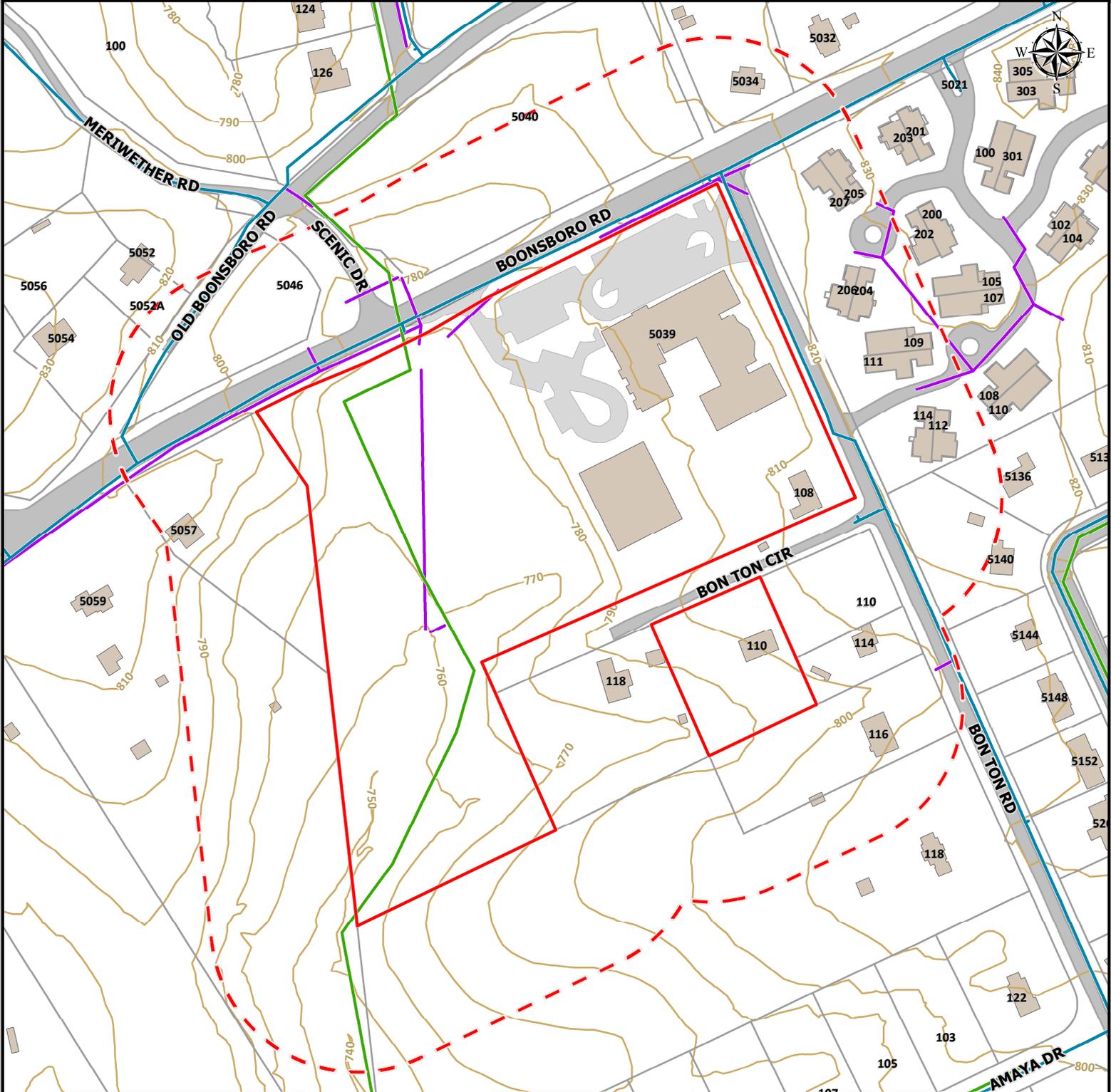
- Local Historic District
- Traditional Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Commercial
- Community Commercial
- Employment 1
- Employment 2
- Downtown
- Institution
- Public Use
- Public Parks
- Resource Conservation
- Mixed Use

OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 7/27/2016

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.



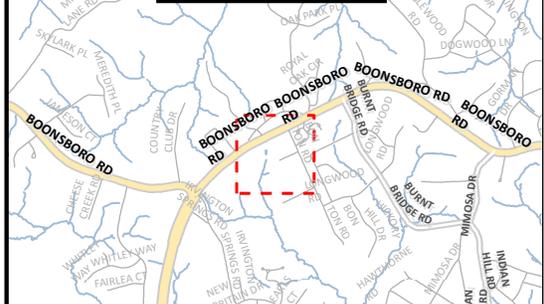
PROPERTY INFORMATION

PARCEL ID	ADDRESS
20314002	5039 BOONSBORO RD
21001016	110 BON TON CIR

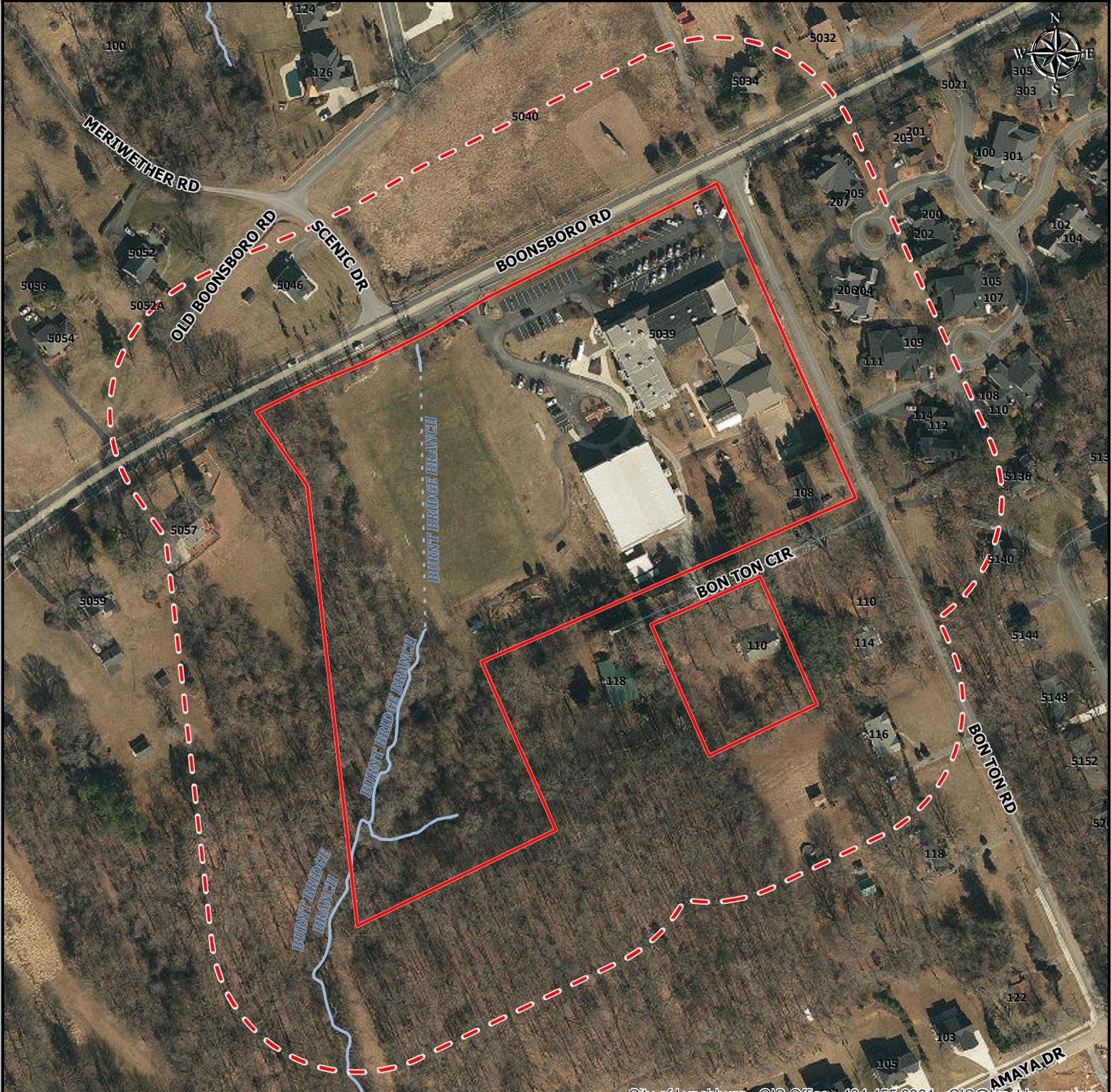
LEGEND

	Active	Proposed	Abandoned
Utilities	Water (solid blue)	Sanitary (dashed green)	Storm (dashed purple)
Planimetrics	Structure (solid grey)	Roadway (solid tan)	Parking (solid white)
	Sidewalk (dashed grey)	Driveway (dashed tan)	
	Topography	Contour (solid brown)	
		10' (solid brown)	10' Obs (dashed brown)

OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 7/27/2016



City of Lynchburg - GIS Office | 404.455.6604 | [lynchburgva.gov](http://www.lynchburgva.gov)

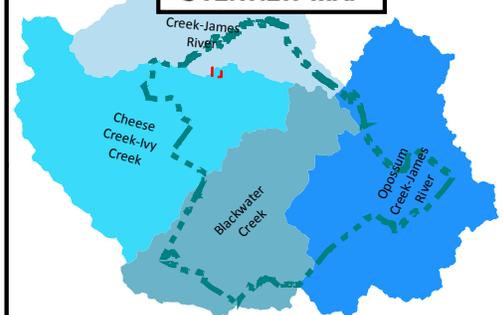
PROPERTY INFORMATION

PARCEL ID	ADDRESS
20314002	5039 BOONSBORO RD
21001016	110 BON TON CIR

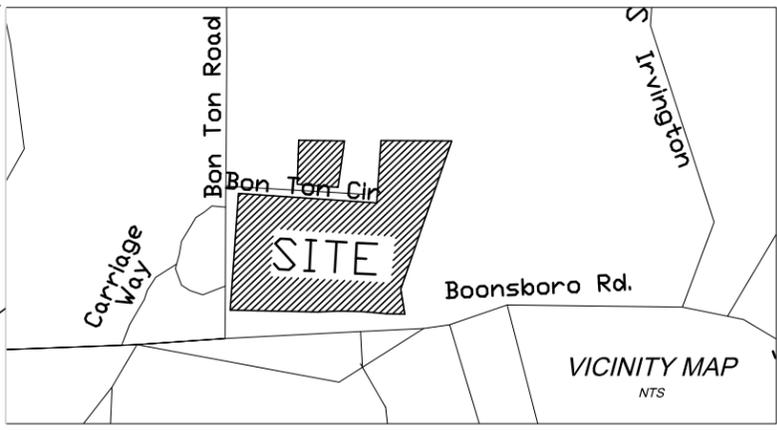
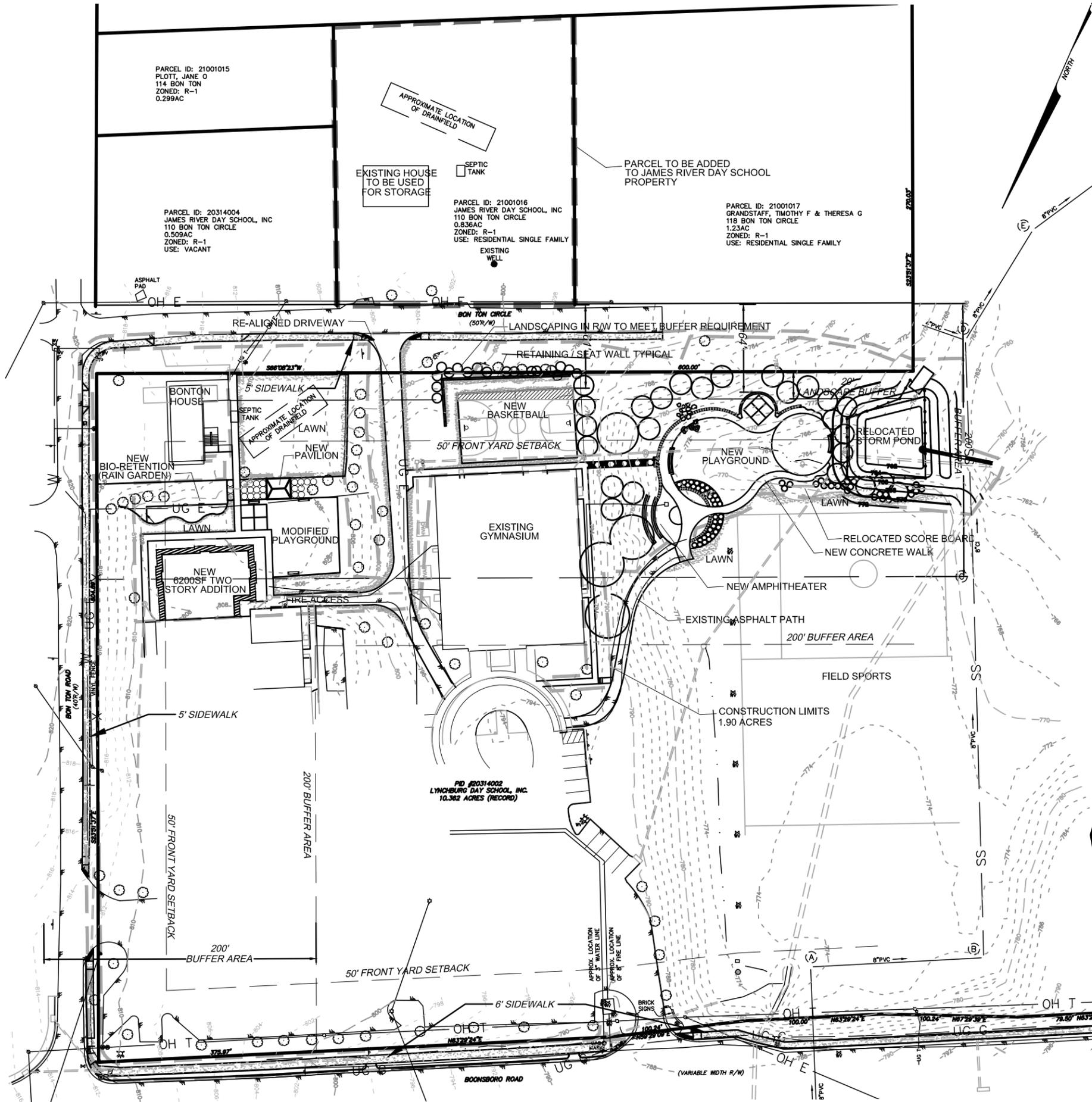
LEGEND

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

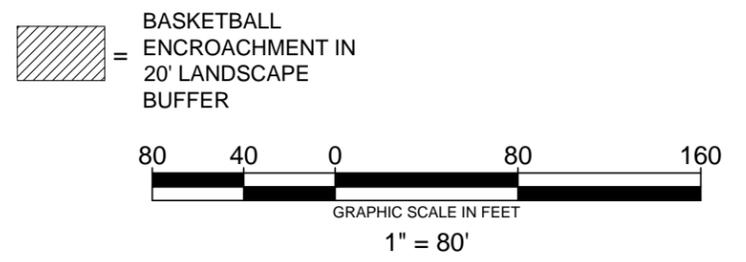
OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 7/27/2016



- NOTES:
1. PARCEL ID#21314002, 21001016
 SITE OWNER: JAMES RIVER DAY SCHOOL (LYNCHBURG DAY SCHOOL INC)
 ADDRESS: 5039 BOONSBORO RD. & 110 BON TON CIRCLE, LYNCHBURG, VA 24503
 2. SITE PROPOSED USE: EXEMPT EDUCATIONAL
 3. SITE ZONING: R-1, LOW DENSITY SINGLE FAMILY RESIDENTIAL.
 4. APPROXIMATE DISTURBED AREA: 1.90 AC.
 5. REQUIRED PARKING: <40
 EXISTING PARKING: 74.
 * NO CHANGE IN STUDENT BODY,
 NO ADDITIONAL PARKING NEEDED.
 6. PROPOSED INCREASE IN IMPERVIOUS AREAS 0.18 ACRES.
 7. EXISTING, PROPOSED, AND TEMPORARY WATER SERVICE CONNECTIONS SHALL NOT BE USED FOR DEMOLITION, CONSTRUCTION, OR LANDSCAPING PURPOSES UNTIL THE APPROPRIATE BACKFLOW PROTECTION HAS BEEN INSTALLED, TESTED AND APPROVED.
 8. THE AREA SHOWN HEREON IS LOCATED IN FLOOD ZONE 'X' AND IS NOT LOCATED WITHIN FLOOD HAZARD ZONE 'AE' FOR A 100 YEAR FLOOD AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON COMMUNITY-PANEL MAP #5100930028D DATED JUNE 3, 2008.
 9. EXTERIOR LIGHTING SHALL BE CONTROLLED SO THAT LIGHTING SHALL NOT EXCEED 0.5 FOOTCANDLES AT ANY RESIDENTIAL PROPERTY LINE. LIGHTING DESIGN TO BE PROVIDED AT SITE PLAN STAGE.
 10. LOCATION OF RE-ALIGNED DRIVEWAY ON BON TON CIRCLE IS GREATER THAN 40' FROM THE NEAREST RESIDENTIAL PROPERTY NOT OWNED BY JAMES RIVER DAY SCHOOL.
 11. REQUIRED BUFFER FOR NUISANCE FACTORS: 200FT.
 ACTUAL BUFFER:
 61 FT. (BASKETBALL COURT)
 64 FT. (PLAYGROUND)
- VARIANCE APPROVAL:**
 BOARD OF ZONING APPEALS APPROVED THE REQUEST #BZA1606-0001 ON JUNE 28, 2016 TO ALLOW THE CONSTRUCTION OF A BASKETBALL COURT & PLAYGROUND 61' FROM THE NEAREST RESIDENTIAL LOT INSTEAD OF THE 200' BUFFER REQUIRED BY SECTION 35.2-72.21 (A)(6). THE APPROVAL ALSO ALLOWS A 12' LANDSCAPE BUFFER ALONG A PORTION OF BON TON CIRCLE INSTEAD OF THE REQUIRED 20' BUFFER.



HURT & PROFFITT
 2524 LANGHORNE ROAD
 LYNCHBURG VA 24501
 800.242.4906 TOLL FREE
 434.847.7796 MAIN
 434.847.0047 FAX

ENGINEERING • SURVEYING • LAND DEVELOPMENT • ENVIRONMENTAL
 GEOTECHNICAL • CONSTRUCTION TESTING & INSPECTION • CULTURAL RESOURCES

CONDITIONAL USE PLAN
 FOR
JAMES RIVER DAY SCHOOL
 CITY OF LYNCHBURG, VIRGINIA

PROJECT NO.	20150317
LAT.	37°26'39.48"
LONG.	79°13'37.60"
DATE:	07/30/2016
DRAWN BY:	ELC
CHECKED BY:	PSB

Jul 28, 2016 5:34pm \\Data01\projects\2015\20150317\CAD\CUP.dwg



Hurt & Proffitt, Inc.

Engineering • Surveying • Environmental
Materials Testing • Geotechnical
Site Planning

2524 Langhorne Road • Lynchburg, VA 24501
(434) 847-7796 • FAX (434)847-0047

CONDITIONAL USE PERMIT NARRATIVE

April 19, 2016

James River Day School
5039 Boonsboro Road
Lynchburg, Virginia 24503
Hurt & Proffitt Project #20150317

PROJECT DESCRIPTION

The James River Day School proposes to construct a building addition in the southeast corner of their campus, located at 5039 Boonsboro Road (PID #20314002). Several site improvements will also be made, including a new playground, basketball court, pedestrian walkways, stormwater improvements and modifications, and other amenities. In addition, the parcel at 110 Bon Ton Circle (PID #21001016), which was purchased by the school in 2015, will be added to the school property. The construction of the building addition and incorporation of the Bon Ton Circle parcel into school property requires a Conditional Use Permit as permitted uses in a residential zone.

PROPOSED ADDITION AND SITE IMPROVEMENTS

The work will consist of a two-story addition to the existing classroom building, which includes four new classrooms, offices, miscellaneous storage, a meeting/multi-purpose room, a new stair, an elevator, and accompanying mechanical spaces. The addition will be constructed of concrete block walls with an exterior brick veneer painted to match the existing building, dark bronze metal roofing and soffit trim, and dark bronze aluminum storefront. Building accents include wall protrusions located where storefront windows occur in the classrooms and offices, two continuous rowlock courses that align with the storefront window head courses, and decorative trellises. Interior finishes to match existing materials where possible, including vinyl tile, base, acoustical ceilings, and paint.

The existing school playground will be impacted by the proposed science addition. The remaining playground area will be reconfigured into a smaller playground for K-1 graders. A lawn area for play will be established on the south side of this new playground and will extend toward Bon Ton Circle. A new playground for 2-8 grades will be developed at the south end of the existing playing / sports field in an area made available by reworking the existing stormwater pond. This playground location will provide students with a variety of options for activities and will also allow them to spill out on the playing field for activities requiring more space. The existing evergreen screening trees between the south end of campus and Bon Ton Circle will be retained. A new basketball court will be constructed on the south end of the field house in the

area vacated by a temporary classroom. Sidewalks / paths will serve the new features by facilitating pedestrian circulation.

STORMWATER MANAGEMENT

Runoff from the site is conveyed overland and in a stormwater conveyance system in a westerly direction to the existing stormwater pond. The existing pond will be relocated to allow construction of the new playground adjacent to the existing multi-purpose sports field. The site will be designed to meet or exceed the state's requirements for water quality (using the runoff reduction method for redeveloped sites) and water quantity (using the energy balance method).

Approximately 0.18 acres of new impervious area will be added with the new project. Management of water quality and quantity will be required for the disturbed area and added impervious surface. It is anticipated that a small bioretention basin will be placed south of the new science addition. The bioretention basin will provide management of water quality and quantity. Additional storage could be provided with the relocation of the existing stormwater detention pond. If additional water quality is required, smaller, low impact design methods will be preferred.

The property is located in Flood Zone "X" and is not located in the 100-year floodplain.

Water Quantity

Management of stormwater quantity will be provided via a redesigned stormwater detention pond and the proposed bioretention filter (rain garden). Other runoff reduction methods may be employed if additional management is needed.

Water Quality

A small bioretention area is planned south of the proposed addition. If additional stormwater quality treatment is needed, other small bioretention basins will be used, if possible.

PARKING

The project must meet the current City of Lynchburg parking requirements. The City of Lynchburg's ordinance requires two (2) parking space per three (3) teachers and other employees. With approximately 50 teachers and employees, 34 parking spaces are required. The school provides approximately 75 parking spaces on the campus, including 4 handicap accessible spaces. No additional students will be added following construction of the science addition. Therefore, no additional parking spaces are required for this project.

Proposed Parking:

Required:

50 teachers/employees x 2 spaces/3 teachers/employees = 34 spaces

Provided:

75 spaces (includes 4 handicap spaces)

LANDSCAPING/OTHER

The CUP plan shows the approximate limits of disturbance. This area will be refined as the project becomes more clearly defined. Grading will be limited to what is needed to construct the building addition, stormwater management, playground and other amenities, and the relocated stormwater detention pond.

Landscape plantings will be as provided per the landscape ordinance. Foundation plantings will be provided as required as well as screening of any mechanical areas.

Exterior lighting shall be controlled so that no direct illumination will occur beyond any property line. A note is provided on the attached plan.



5039 Boonsboro Rd

© 2016 Google

G

37°26'38.40" N 79°13'36.92" W e



110 Bon Ton Road