

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

To: Planning Commission
From: Planning Division
Date: September 9, 2020
Re: **Rezoning – B-1, Limited Business District to B-4, Urban Commercial District – 708, 710 & 712 Court Street**

I. PETITIONER

Edgar J. T. Perrow, J.T. Jr. & Nathaniel F. Perrow, P.O. Box 3133, Lynchburg, Virginia 24503
Representative: Edgar J. T. Perrow, Jr., Perrow Consulting Services, 714 Court Street, Lynchburg, Virginia 24504
Property Owners:
Edgar J. T. Perrow, J.T. Jr. & Nathaniel F. Perrow, P.O. Box 3133, Lynchburg, Virginia 24503

II. LOCATION

The area proposed for rezoning contains approximately eighty-three thousandths (.083) acres located at 708, 710 & 712 Court Street.

III. PURPOSE

The purpose of the rezoning is to allow the petitioner greater flexibility in use of the property for office / residential uses without a requirement for first floor office space.

IV. SUMMARY

- The City’s *Comprehensive Plan 2013-2030, Future Land Use Map (FLUM)* recommends a Downtown use for the subject property.
- The property is located within the Court House Hill Historic District.

The Planning Division recommends approval of the rezoning petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The *Future Land Use Map (FLUM)* recommends a Downtown use for the subject property.

Downtown is governed by the policies and recommendations of the Downtown and Riverfront Master Plan 2000, which is incorporated into this Comprehensive Plan by reference. 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. (p.76)

2. **Zoning.** The subject property was part of the original city limits established in 1786. The existing B-1, Limited Business District Zoning was established in 1978.

Proffers: N/A

3. **Board of Zoning Appeals (BZA).** The Zoning Administrator 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 February 10, 1987, City Council approved the conditional use permit (CUP) petition of Holy Cross Catholic Church to allow the construction of building and parking lot additions at 710-720 Clay Street.
 - On June 14, 1994, City Council approved the petition of Joseph and Brenda Sanzone to rezone 707 Clay Street from R-2, Low-Medium Density Residential District to B-1C, Limited Commercial District (Conditional) to allow use of the property as a law office.
 - On May 22, 2001, City Council adopted the *Downtown & Riverfront Master Plan 2000*.
 - On August 9, 2005, City Council approved the CUP petition of Lynchburg Daily Bread to allow the construction of an addition for food preparation and storage at 721 Clay Street.
 - On January 12, 2010, City Council approved the CUP petition of Adama Faroh, LLC to allow apartment and office uses at 802 Court Street.
 - On January 10, 2012, City Council approved the CUP petition of Historic Diamond Hill, LLC to allow apartment units at 721 Court Street.
 - On February 23, 2016, City Council adopted the current Zoning Ordinance which combined the B-6, Riverfront/Downtown District with the B-4, Urban Commercial District.
 - On November 13, 2018, City Council adopted the *Downtown 2040 Master Plan*.
 - On April 9, 2019, City Council approved the petition of Anna Chytla, Willoughby Properties II, LLC to rezone 1000 Court Street and 210 10th Street from B-1, Limited Business District to B-4C, Urban Commercial District (Conditional) to allow seven apartment units.
5. **Site Description.** The property is currently contains three (3) historic buildings located in the Court House Hill Historic District. 708 Court Street contains a two story, 3,784 square foot structure constructed in 1878. 710 Court Street contains a two story, 3,616 square foot structure constructed in 1878. 712 Court Street Contains a three story, 4,048 square foot structure constructed in 1880.
6. **Proposed Use of Property.** If the rezoning is approved the petitioner would like to maintain flexibility in office/residential uses. Information submitted by the petitioner indicates that a total of twelve (12) units are proposed between the three buildings with four (4) units in each building.
7. **Traffic, Parking and Public Transit.** While the B-4, Urban Commercial District does not have a parking requirement, the petitioner has indicated parking is available behind each building with additional parking available at 714 Court Street. This parking is accessed from 7th Street. On-street parking is also available along Court Street.

Greater Lynchburg Transit Company does not run along Court Street; however it is available along 5th & Church Streets.
8. **Stormwater Management.** N/A

9. **Emergency Services:** The City Fire Marshal and Police Department had no comments of concern regarding the rezoning petition.
10. **Impact.** The rezoning of the property to B-4, Urban Commercial District should have little impact on the area. Flexibility in use of the historic structures is consistent with the *Downtown 2040 Master Plan* and other recent rezoning in the area.
11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the petition on August 18, 2020. Comments 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 rezoning request of Edgar J. T. Perrow, Jr. and Nathaniel F. Perrow to rezone approximately eighty-three thousandths (.083) acres located at 708, 710 & 712 Court Street from B-1, Limited Business District to B-4, Urban Commercial District.

This matter is respectfully offered for your consideration.

William T. Martin, AICP
City Planner

- pc: Dr. Reid Wodicka, Interim 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. Turner Perrow, Petitioner/Representative
 Mr. Nathaniel Perrow, Petitioner

VII. ATTACHMENTS

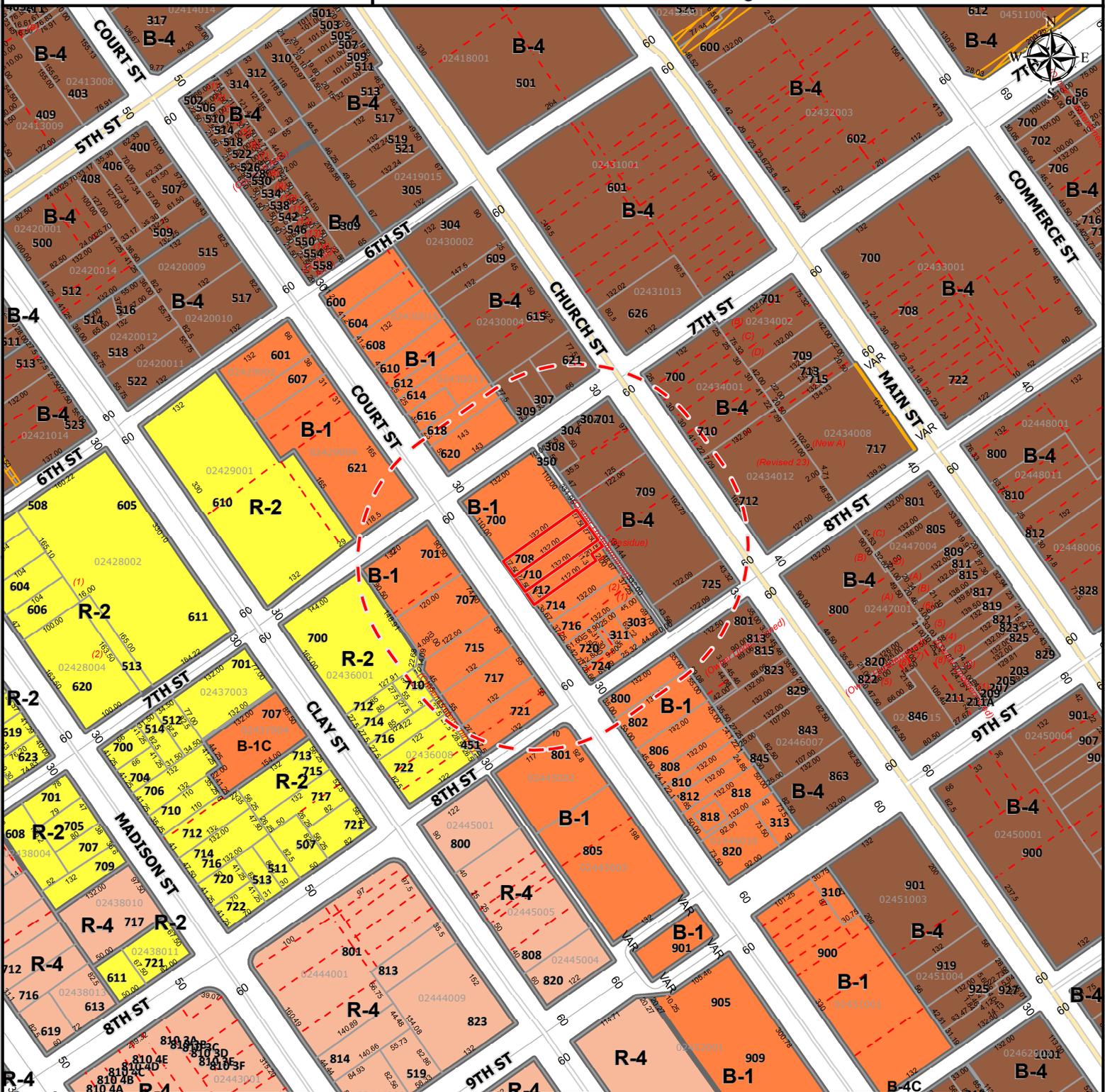
1. **Zoning Map with Adjoining Property Owners**
2. **Future Land Use Map**
3. **Watershed Map**
4. **Planimetric and Topographic Map**
5. **Concept Plan**
6. **Narrative**
7. **Property Photographs**

Zoning-TRC Map

708, 710, 712 COURT STREET

TRC

Perrow Consulting Services, LLC



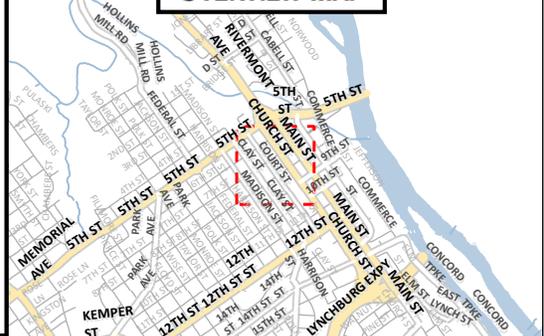
PROPERTY INFORMATION

PARCEL ID	ADDRESS
02435018	708 COURT ST
02435017	710 COURT ST
02435016	712 COURT ST

LEGEND

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

OVERVIEW MAP



MAP SCALE: 1" to 200' DATE PRINTED: 8/4/2020

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.

708, 710, and 712 Court Street

Parcel ID	Address	Owner
02429004	621 COURT ST	COURT STREET UNITED METHODIST CH TRS
02430007	621 CHURCH ST	ENGLISH CONSTRUCTION CO INC
02430008	307 7TH ST	MUHORU, WANJEMA S
02430009	309 7TH ST	JOSHUAS HOUSE LLC
02430010	620 COURT ST	CENTRAL VIRGINIA COMMUNITY SERVICES
02430011	618 COURT ST	CENTRAL VIRGINIA COMMUNITY SERVICES
02434001	700 CHURCH ST	C & P TELEPHONE
02434012	712 CHURCH ST	VIRGINIAN HOTEL LLC
02435001	700 COURT ST	700 COURT STREET LLC
02435002	701 CHURCH ST	SEVENTH ON CHURCH PROPERTIES LLC
02435004	709 CHURCH ST	VIRGINIAN HOTEL LLC
02435010	725 CHURCH ST	725 CHURCH LLC
02435012	724 COURT ST	725 CHURCH LLC
02435013	720 COURT ST	BALDWIN, MONROE G JR
02435014	716 COURT ST	NELSON, JOHN R
02435015	714 COURT ST	PERROW, EDGAR J T
02435016	712 COURT ST	PERROW & PERROW
02435017	710 COURT ST	PERROW, EDGAR J T JR &
02435018	708 COURT ST	PERROW, EDGAR J T JR &
02435019	308 7TH ST	SHAY BOREL LLC
02435020	303 8TH ST	725 CHURCH LLC
02435021	311 8TH ST	725 CHURCH LLC
02436001	700 CLAY ST	SULLIVAN, WALTER F THE MOST REV
02436002	701 COURT ST	COURT STREET UNITED METHODIST CH TRS
02436003	707 COURT ST	CENTRAL VIRGINIA COMMUNITY SERVICES
02436004	715 COURT ST	715 COURT STREET LLC
02436005	717 COURT ST	MCRORIE, HOPE F
02436006	721 COURT ST	WETHERELL, EDWARD L
02436008	722 CLAY ST	SULLIVAN, WALTER F THE MOST REV
02436011	716 CLAY ST	SULLIVAN, WALTER F THE MOST REV
02436014	710 CLAY ST	SULLIVAN, WALTER F THE MOST REV
02445002	801 COURT ST	AVENUE AND BEYOND LLC
02446001	800 COURT ST	WOODLE, CHARLES J & NORTON, TRESSIE
02446002	801 CHURCH ST	JENCAL LLC
02446016	802 COURT ST	ADAMA FAROH LLC

FLUM Map

TRC

708, 710, 712 COURT STREET

Perrow Consulting Services, LLC



PROPERTY INFORMATION

PARCEL ID	ADDRESS
02435018	708 COURT ST
02435017	710 COURT ST
02435016	712 COURT ST

LEGEND

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

OVERVIEW MAP



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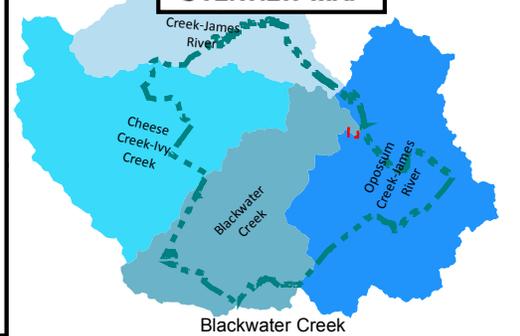
PROPERTY INFORMATION

PARCEL ID	ADDRESS
02435018	708 COURT ST
02435017	710 COURT ST
02435016	712 COURT ST

LEGEND

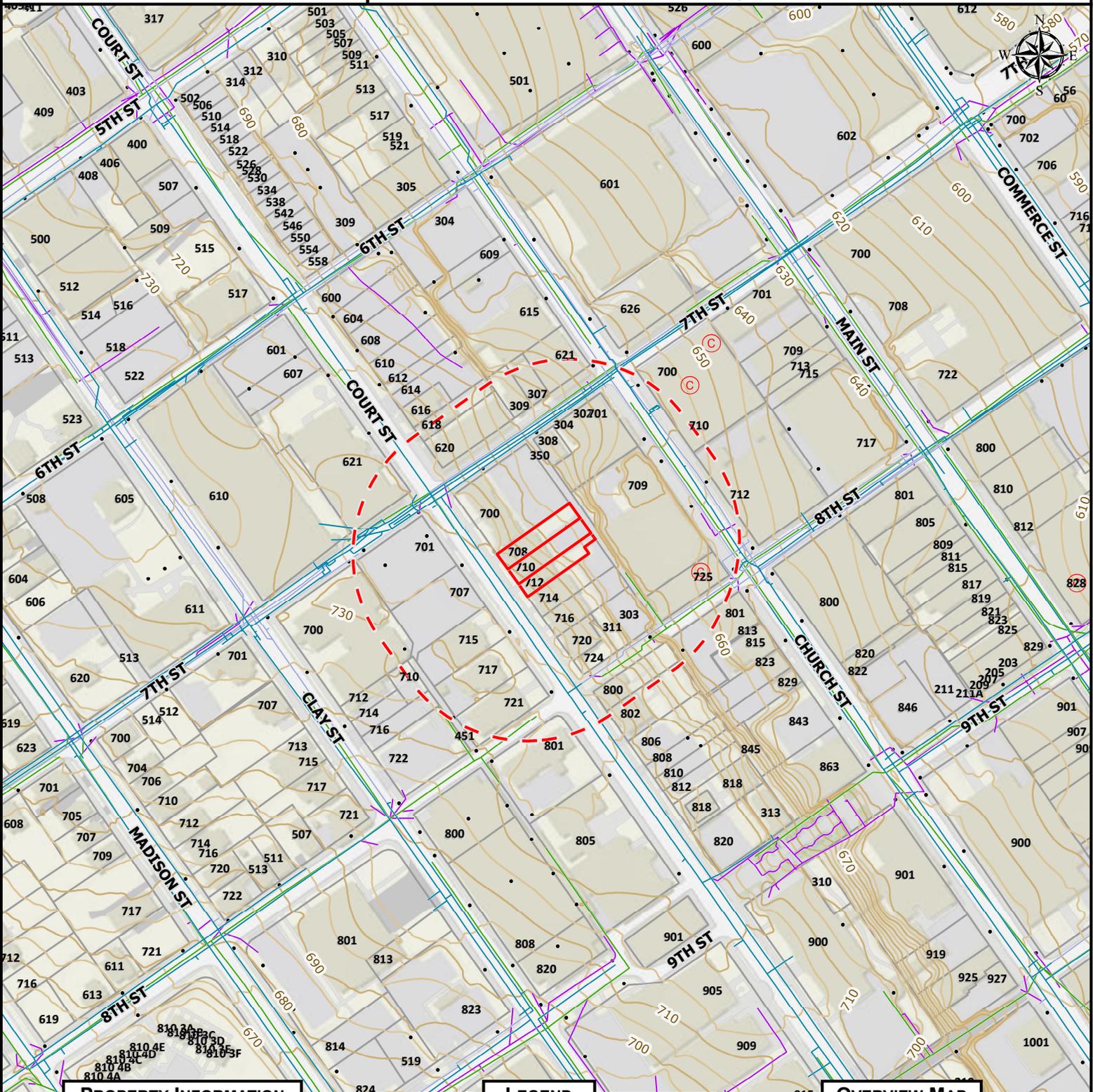
- Subject Property**
- Base Flood Elevation**
- Floodway**
- Floodzone**
- River / Lake / Stream**

OVERVIEW MAP



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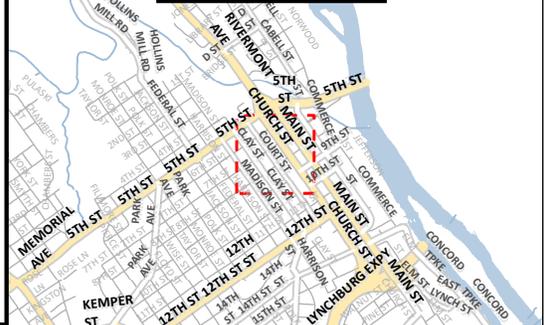
PROPERTY INFORMATION

PARCEL ID	ADDRESS
02435018	708 COURT ST
02435017	710 COURT ST
02435016	712 COURT ST

LEGEND

	Active	Proposed	Abandoned	
Utilities	Water			
	Sanitary			
	Storm			
Planimetrics	Structure			
	Roadway			
	Parking			
	Sidewalk			
	Driveway			
Towers & Trans. Lines	Elec. Trans			
	Trans. Tower			
	Comm. Tower			
	Other			
			Pole	
			Cemetery	
			Contours	
			100'	
			50'	
			20'	
			10'	
			5'	
			1'	

OVERVIEW MAP



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The City of Lynchburg, VA

Legend

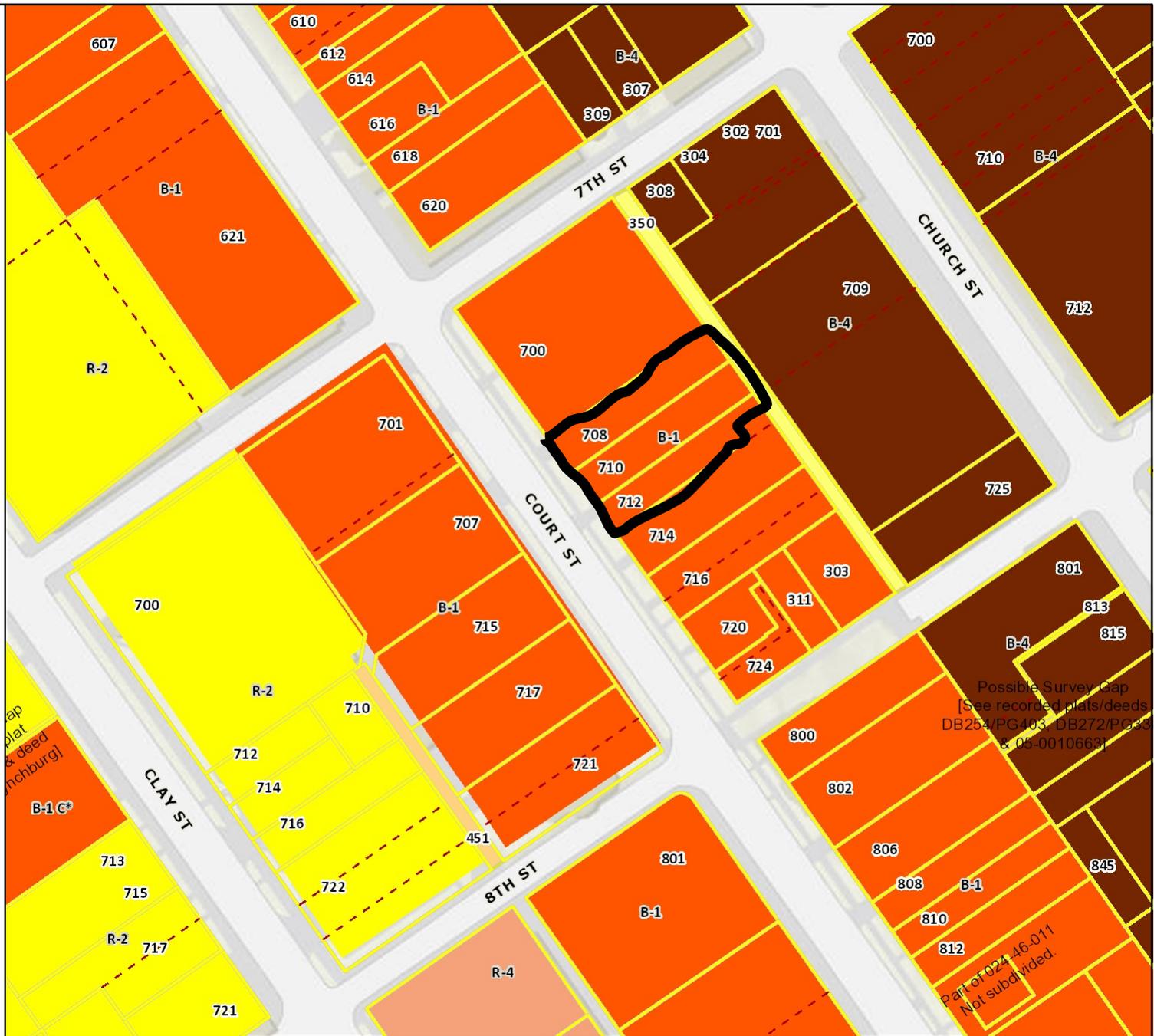
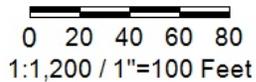
- Addresses
- Street Labels
- Legal Lot Lines
- ▭ Vacated Right of Way
- ▭ Parcels
- ▭ Owner Undetermined
- ▭ Survey Gap
- ▭ Assessed By County
- Zoning

- ▭ B-1
- ▭ B-3
- ▭ B-4
- ▭ B-5
- ▭ I-1
- ▭ I-2
- ▭ I-3
- ▭ R-1
- ▭ R-2
- ▭ R-3
- ▭ R-4
- ▭ IN-1
- ▭ IN-2
- ▭ R-C



Proposed change to B-4

Feet



708-712 Church Street Zoning

7/24/2020

DISCLAIMER: This drawing 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, and the City of Lynchburg is not responsible for its accuracy or how current it may be.



Purpose of Proposed Change

Court Street is evolving from largely offices to largely residential. It may be more appropriate to say that it is returning to the original intent for which the buildings were constructed. The purpose of the proposed change is to rezone from B-1, which requires a first-floor office, to B-4, which provides greater flexibility for mixed office and residential use as well as accommodates for the typical central business district sizes. This rezoning will allow for the buildings to be renovated and used for apartments without the specific lot size requirements of the B-1 zoning classification. It would also allow for the primary floor to be used either as an apartment or an office, keeping in character with the overall downtown feel. Court Street has a wonderful historic residential character with easy access to the downtown restaurants and amenities. Allowing the rezoning will restore vibrancy to this reemerging neighborhood.

Perrow & Perrow
P.O. Box 3133
Lynchburg, Virginia 24503

August 3, 2020

The City of Lynchburg, Virginia
Department of Community Development
Planning Division
900 Church Street
Lynchburg, VA 24504

RE: Rezoning of 708-712 Court Street

Dear Mr. Martin:

Perrow & Perrow desires to rezone the above referenced properties from B-1 to B-4. This is consistent with the Vision of the Comprehensive Plan by conserving the last block of historic rowhouses in the city, as well as helping a historically urban residential neighborhood reemerge after a period of being principally autoan office area. This rezoning also promotes business vitality as the proposed B-4 designation will continue to allow business to exist as well as residential units, in the same building.

Specifically, the proposed rezoning is consistent with Goals LU-1.4, LU-2.1, LU-2.2, LU-2.4, LU-2.7, LU-3.1, LU-3.5, LU-3.10, AP-2, NH-1.7, NH-1.9, and HCA-1. This rezoning will allow the historic renovation of a former law office at 712 Court Street into either 4 apartments or a mixture of office and residential use. Additionally, it allows the renovation of 710 Court Street into a larger home will allowing a terrace level apartment. Both projects support the Goals of the Comprehensive Plan.

Thank you for your consideration of this project which will improve Court Street's character, viability, and community. Please contact me with any questions.

Sincerely,

Perrow & Perrow



Edgar J. T. Perrow, Jr.

Partner



01/25/2017

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