

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 11, 2011**

AGENDA ITEM NO.: 1

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION:

INFORMATION: **X**

ITEM TITLE: **Briefing on Miller Center (Parks and Recreation Center at Miller Park) Renovation**

RECOMMENDATION: This report serves to brief Council on the capital project to renovate the Miller Center located at 301 Grove Street, located adjacent to Miller Park. No action is required at this time.

SUMMARY: On May 11, 2010 staff briefed the Physical Development Committee (PDC) on the status of the project and requested to move forward to complete the design development phase of the project. PDC authorized staff to proceed. This report serves to brief full Council on the progress of the project to date and on the plans for renovation. Included in this report is information provided to PDC in May with additional updates since that meeting.

The design development phase of architectural and engineering services for the renovation of the Miller Center is complete. The scope of work for this phase of work included: a building assessment of current conditions, exploration of use of Historical Tax Credits for partially funding the project, development of a building program and design for the interior and site, opinion of probable costs and completion of plans to the 80% completion level.

The building was originally constructed in 1910-1911 as the Miller Park School, and later renamed the Janet Snead School. The school was closed in 1970 and the building was turned over to the City for use by the Department of Parks and Recreation. Since that time, the building has served as the administrative center for the Department of Parks and Recreation and provides much needed space for recreation programs that reach a City-wide audience. The Miller Center currently houses a neighborhood center, program classrooms, an auditorium, a customer service desk for all programs and services, the main office space for Parks and Recreation, and offices for Virginia Cooperative Extension. The primary programs and functions include: an after-school program, a youth summer camp, a variety of fee-based classes serving all ages (fitness, dance, art, ceramics and pottery, youth drama programs), neighborhood open center, community meeting spaces for clubs and groups, and an auditorium used for community, education and performing art events/classes.

The renovation of the building has been under consideration for more than a decade. The renovation was recommended by the Parks and Recreation Task Force, convened by City Council in 1997. The recommendation for renovation is recognized in the 1997 Recreation Facilities Study/Parks and Recreation Master Plan and the City's Comprehensive Plan. Parks and Recreation has consistently requested capital funding for this project and funding has been deferred multiple times over the course of the past twelve years.

The first phase of architectural and engineering services was funded in FY 2009. Council is provided with attachments that were generated from this phase of work. A complete set of plans can be provided to Council at your request. A brief summary of the information in the attachments is as follows:

Building Assessment: The exterior of the building is in fair to good condition with no structural problems noted. The roof of the building is in very poor condition, constantly leaking and requires replacement. All HVAC systems are reaching the end of their life, requiring replacement. During this winter, heat has been sporadic with the system requiring repeated repairs. Staff has been working without heat for up to periods of a week with multiple singular days with no heat. All plumbing, mechanical, electrical and lighting systems require an overhaul. The building does not comply with many of the requirements of the Americans with Disabilities Act Accessibility Guidelines. In terms of life safety, the building does not meet means of egress requirements and has no fire suppression system, fire alarm system or emergency systems.

Design: The proposed design of the renovation strengthens the ability to continue to offer current recreation programs, including the neighborhood center after-school programs, food programs, fee-based programs and classes, youth camps and program, and supports community use and educational programs. The proposed design offers opportunity to expand programming and services of additional fee-based classes and programs, space for organizational training, community meeting space, youth camps and recreation performing arts. The proposed design rehabs all building systems, provides accessibility to all floors with the addition of an elevator tower, improves circulation, strengthens the connection to Miller Park with new parking, maintains and restores the historically significant building exterior and interior spaces, satisfies building code requirements and corrects life safety issues, consolidates and improves office spaces, and maximizes space for both recreation and administrative purposes.

Historic Tax Credits: The Virginia Department of Historic Resources has issued an opinion that the building is eligible for listing on the National Register for Historic Places and the Virginia Landmarks Register. The State Review Board of the Department of Historic Resources concurred with the opinion and recommend proceeding with completing the nomination. The renovation of the Miller Center is eligible for State Historic Tax Credits which equates to 25% of the eligible costs. The amount of Historic Tax Credits is estimate at \$880,000.

Estimated Costs and Budget: The estimated cost for the new construction and the building renovation is \$6,615,600. The State Historic Tax Credits are estimated at \$880,000, bringing the City cost to \$5,735,600. The project budget is as follows:

Renovation of Miller Center and Elevator Tower	\$5,450,400
Parking and Connection to Miller Park	190,200
Additional Architectural and Engineering/Consultant Services	375,000
Contingency	400,000
Additional soft costs	<u>200,000</u>
Total Project Costs	\$6,615,600
Estimated Historic Tax Credits	<u>880,000</u>
Total City Costs	\$5,735,600

Parks and Recreation has requested funding in the FY 2012 and FY 2013 Capital Program for this project.

Proposed Timeline:

Complete construction and bid documents: July – September 2011

Bid project: October 2011

Construction: February 2012 – April 2013

PRIOR ACTION(S): Physical Development Committee, May 11, 2010

FISCAL IMPACT:

Architectural and Engineering Fees to Date: \$325,300

Capital Program funds, \$5,735,600, requested FY 2012 and FY 2013

CONTACT(S): Kay Frazier, 455-5868

ATTACHMENT(S):

Building Analysis and Physical Assessment Summary, February, 2010

Opinion of Probable Construction Cost, November 2010

Exterior Perspective and Floor Plans, October 2010

Capital Improvement Program Sheet, FY 2009 - Page 88

Capital Improvement Program Sheet, FY 2011 - Page 67

REVIEWED BY: bms



MILLER CENTER RENOVATION

Lynchburg, Virginia

Prepared For:

**PARKS AND RECREATION
Lynchburg, Virginia**

BUILDING ANALYSIS AND PHYSICAL ASSESSMENT SURVEY

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February 1, 2010



MILLER CENTER RENOVATION
Lynchburg, Virginia
CMSS Project No. 09-128.000

February 1, 2010

Building Analysis and Physical Assessment Survey

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INTRODUCTION

Originally constructed in 1911 as a public school, the existing Miller Center is a three-story brick building located at 301 Grove Street in Lynchburg, Virginia. Since 1975 the building has been occupied by the Lynchburg Department of Parks and Recreation; it is currently used primarily as a community center and administrative offices for the department.

- The ground floor houses offices, a kitchen, a neighborhood center, a ceramics room, and storage space.
- The first floor houses a customer service area, offices, a classroom, an auditorium, and storage.
- The second floor houses offices, the Virginia Cooperative Extension Service, classrooms, and storage.

Existing Area Calculations

<u>Level</u>	<u>Gross Area</u>
Ground Floor	10,120 SF
First Floor	10,090 SF
Second floor	<u>7,620 SF</u>
Total	27,830 SF

The building is generally in fair condition, given the fact that there have been minimal building improvements during the past thirty years. The following sections summarize a preliminary non-invasive survey of the existing conditions.

SECTION 1 – BUILDING SITE

The site is in a residential neighborhood in Lynchburg, Virginia, between Grove Street and Wadsworth Street. The Grove Street entrance is opposite Miller Park. The other two sides of the site adjoin private property. There are approximately 47 lined parking spaces in the on-site parking lot south of the building. There is an in/out curb cut on Grove Street for a narrow drive along the east side of the building that leads to the parking area, and a second curb cut on Wadsworth Street that serves as two-way access to the parking lot.

The site slopes approximately 20 feet from finish grade elevation at Grove Street on the north to finish grade at Wadsworth Street on the south. Two building entrances that lead to the first floor face Grove Street, both of which feature concrete and brick steps; a wheelchair ramp has been added over a portion of one of these sets of steps. Concrete sidewalks beginning at Grove Street run the length of the building on its east and west sides and connect to a sidewalk around the south side of the building. A building entrance from the ground floor faces the south parking lot and is accessed via a ramped section of the sidewalk. The south sidewalk also serves a back door to a kitchen and a pair of doors to a mechanical/electrical room.

Concrete sidewalks are generally in good condition, but the asphalt pavement is uneven over most of the site, generally in poor condition and in need of replacement.

There are two concrete pads with picnic tables to the east of the building.

There are lawn areas to the east and west of the building, and there are landscaped areas adjacent to the north and south sides of the building. There are several mature trees on site, most of which are near the perimeter of the site. Only one such tree (a nominal 14-inch cedar on the south side of the building) is within 20' of the building.

The site is served by the following utilities:

- Underground water line at Grove Street
- Underground gas line at Grove Street (gas meter is on the east side of the building)
- Overhead telephone and cable TV lines on Grove Street
- Overhead electrical line on Wadsworth Street (enters near southeast corner of building)
- Combined sanitary sewer and storm water line at Wadsworth Street (lateral runs from south side of building)

SECTION 2 – BUILDING EXTERIOR

Existing Conditions/Field Investigation:

Windows: The wood double-hung single-glazed windows are original, although there are a few individual broken lites. Some sashes are not operable from the inside, and several ground floor windows have non-original external metal mesh security screens. Most of the windows at the auditorium space facing the parking lot have been covered with painted plywood infill panels.

Doors: Several exterior doors are original painted wood doors, some with glass vision lites. The main entrance doors facing Grove Street are replacement aluminum and glass storefront doors with transoms.

Brick Exterior Wall Finish: The exterior brick finish is original, “standard” size red brick with gray mortar. Exterior brick walls are typically 17” thick. There are minor cracks in several locations around the building, and damaged or missing mortar joints as well. Some areas have been stained or discolored.

Stone Trim: Cut stone was used as accent trim in the exterior brick walls (window sills, window opening keystones, medallions, and parapet wall coping).

Painted Wood Trim: Much of the painted wood trim cornice on the exterior of the building appears to be original, and is showing signs of deterioration consistent with the age of the building.

Mechanical and Electrical Appurtenances: Over the years numerous exterior conduits and pipes have been surface-mounted to the brick in a piece-meal and unsightly fashion, particularly on the south side of the building.

Roof Drainage: Roof drainage consists of scuppers in the masonry parapet walls that empty into painted metal conductor boxes above the cornice and vertical downspouts around the perimeter of the building, all of which appear to be in good working condition. (Note: the downspouts do not appear on the original 1910 drawings.)

Roof: The original roof material was identified as “slag” on the 1910 drawings, but has since been replaced many times. A Roof Analysis Report for this project prepared by RTD Associates and dated 7/15/2009 contains the following information:

- The current roofing material is a smooth-surfaced modified bitumen roof over wood fiber insulation, with an area of EPDM membrane patch to address reported leaks.
- The roof is approximately 30 years old and nearing the end of its useful life; RTD estimated the anticipated remaining service life at 2 years for the highest roof area and 4 years for the roof over the auditorium.
- Core samples indicate an insulation thickness of only 1/2".
- Typical deficiencies observed include blisters, deteriorated caulking at the stone coping

parapet wall cap, open repairs, deteriorated coating, evidence of ponding, deteriorated caulk at flashing, cracked membrane, deteriorated wood, and debris.

Note: A separate "Building Condition Survey" report from Kidde Consultants, Inc. dated October 1986 indicates that the building was re-roofed in 1985, which would make the age of the existing roof closer to 25 years. Building maintenance records show that the entire roof was re-coated in 2004.

Evaluation:

Windows: Generally in fair to good condition; no indications of leaks.

Doors: Generally in good condition.

Brick Exterior Wall Finish: Generally in fair to good condition. Exterior brickwork should be cleaned beginning with the gentlest method possible, and the mortar joints should be re-pointed throughout.

Note: Refer also to separate "Masonry Mortar Report" prepared for this project by Froehling & Robertson, Inc. dated June 15, 2009.

Note: Building maintenance records indicate that the exterior brick walls of the auditorium were re-pointed in 2007-2008.

Note: In September of 2009 the Lynchburg Building and Grounds Department requested quotes from qualified masonry contractors to re-point all of the mortar joints on the exterior side only of the parapet walls.

Stone Trim: Generally in fair to good condition. All stone trim should be cleaned as part of the overall exterior wall cleaning. All joints in the stone coping at the top of the parapet walls should be raked out and re-sealed.

Painted Wood Trim: Generally in fair to good condition. All wood trim should be inspected, cleaned and re-painted as part of the renovation project.

Mechanical and Electrical Appurtenances: All surface-mounted pipes and conduits should be removed and the brick walls behind them repaired.

Roof Drainage: Generally in fair to good condition; however, the design team recommends replacement with prefinished aluminum components that do not require periodic re-painting.

Roof: Generally in poor to fair condition. The entire roof should be removed back to the wood roof sheathing and re-roofed as part of the renovation project.

SECTION 3 – STRUCTURE

Foundation:

System Summary: Based on the 1910 drawings, the existing foundation consists of concrete spread footings under interior columns and continuous concrete wall footings under bearing walls.

Field Investigation: In-place architectural finishes and civil grades restrict the view of the foundation elements. However, there are no visible signs of cracking, heaving, or buckling that would indicate foundation failure or distress. Based upon the types of soils and age of concrete, the foundation system should be in excellent condition.

Evaluation: The existing foundation appears adequate for continued use of the building; however, during demolition operations further investigation may be warranted in the event unforeseen conditions are discovered.

Ground Floor:

System Summary: The existing ground floor structure consists of a concrete slab-on-grade.

Field Investigation: In-place architectural finishes restrict the view of much of the first floor slab. There are some minor cracks visible that are consistent with the age of the building and/or with shrinkage cracking that is normal with any concrete floor system. There are no visible signs of severe cracking, heaving, or buckling that would indicate slab failure or distress.

Evaluation: The existing first floor slab appears adequate for continued use of the building; however, during demolition operations further investigation may be warranted in the event unforeseen conditions are discovered.

Elevated Floor System:

System Summary: The structure contains two elevated floors. Based on the 1910 drawings these floors consist primarily of wood flooring over wood floor sheathing on 2x12 wood joists at 16" on center. The floor joists are supported on load-bearing masonry walls or steel beams. Maximum joist spans are typically approximately 15 feet at the multi-purpose classrooms and the auditorium. The floor system is sloped at the first floor auditorium.

Field Investigation: In-place architectural finishes restrict the view of much of the elevated floor structure. There are numerous minor "peaks and valleys" in the wood flooring that are consistent with the age of the building, some of which produce a squeaking noise under foot. The squeaking is most likely due to wood shrinkage over time (i.e., when the wood shrinks due to loss of moisture, this causes movement of the fasteners, resulting in floor squeaks).

Evaluation: The existing elevated floor framing appears adequate for continued use of the

building, providing live loads in the renovated structure are not significantly different from those currently supported. From a structural standpoint the uneven floors do not appear to require remediation; however, during demolition operations further investigation may be warranted in the event unforeseen conditions are discovered. Wood flooring in areas of objectionable floor squeaking should be re-fastened.

Roof System:

System Summary: Based on the 1910 drawings the roof structure over the highest portions of the building consists of 1 x board wood roof sheathing on either 2x8 or 2x10 wood rafters [depending on location] at 16" o.c. spanning between a 2x8 central wood ridge beam and load-bearing masonry walls. The roof structure over the auditorium consists of wood roof sheathing on 2x8 wood rafters supported by heavy timber trusses with 10x10 top and bottom chords, diagonals ranging in size from 6x8 to 10x10, and steel rod vertical members ranging from 7/8" to 1-1/8" in diameter. Trusses are spaced approximately 15 to 20 feet on center according to the 1910 drawings.

Field Investigation: In-place architectural finishes restrict the view of much of the roof structure. There are no visible signs of severe cracking or deflection that would indicate roof framing failure or distress.

Evaluation: The existing roof framing appears adequate for continued use of the building, except that additional investigation and calculation of load-bearing capacity will be needed if rooftop mechanical equipment is added. During demolition and re-roofing operations further investigation may be warranted in the event unforeseen conditions are discovered. A new layer of plywood sheathing should be placed over the entire existing 1x sheathing to better transfer uneven loads and provide a better roof diaphragm.

Lateral Load Resisting System:

System Summary: The 1910 drawings do not identify a clear and/or complete system for transferring lateral forces, including wind and seismic forces, from the structure to the earth.

Field Investigation: There are no visible indications of a dedicated lateral load resisting system, although this is not uncommon for buildings of this age and construction type.

Conclusion: Chapter 34 of the Virginia Uniform Statewide Building Code (VUSBC) addresses alterations and additions to existing structures. The building code does not require that existing structural systems be investigated, analyzed and reinforced unless the alteration or addition increases the force in any structural element by more than five percent (5%). It is the design team's understanding that the proposed alterations to the existing structure will not increase the lateral loads that are imposed on the structure, nor will they weaken any structural elements. Additions will be separated from the existing structure with an expansion joint and will include an independent lateral load system. As such, no further action is required with regard to the existing lateral load resisting system at this time.

SECTION 4 – BUILDING INTERIOR

Existing Conditions/Field Investigation:

Floor Finishes: The floor finish on the upper floors is predominantly wood flooring. The ground floor is a combination of resilient flooring and exposed concrete.

Interior Partitions: Load-bearing interior walls exposed to view are primarily painted brick, 9 inches thick. Non-loadbearing interior partitions are predominantly plaster or gypsum wallboard on wood studs. Some interior partitions do not extend full-height to the underside of the structure above.

Interior Trim: Interior trim consists primarily of wood painted a “Williamsburg blue” color.

Ceiling Finishes: Ceiling finishes are primarily painted plaster. There are some areas of suspended acoustical ceiling panels (2 x 2 lay-in grid) on the ground floor.

Toilet Rooms: Ground floor toilet rooms have ceramic tile floor, base, and wainscot, as well as replacement toilet partitions. First and second floor individual toilet rooms have resilient flooring and painted wood beadboard wainscot.

Kitchen (Ground Floor): The kitchen has resilient flooring, outdated wood cabinets and plastic laminate counter and backsplash. Appliances include a refrigerator, freezer, ice-maker, dishwasher, microwave oven, drop-in stove/oven and a double sink.

Stairs: Primarily wood stairs, handrails and railings with resilient treads and nosings. Interior stairs at the ground floor kitchen back door are concrete.

Auditorium: Auditorium finishes include hardwood flooring, stained wood base, plaster walls, and a suspended acoustical panel ceiling with 2x4 lay-in grid and fluorescent troffer lights. The original plaster ceiling is located approximately 4 feet above the suspended ceiling. Seating consists of original molded plywood seats with steel support frames. The stage has been expanded in piece-meal fashion several times over the years. A makeshift proscenium opening is covered with wood paneling.

Hazardous Materials:

An asbestos management plan for this building prepared by Environmental Protection Systems and dated January of 1989 identified the following approximate quantities of asbestos-containing material:

- 210 lf of pipe insulation in the Boiler Room, Basement Office (*)
- 30 joints in pipe insulation in the Boiler Room (*)
- 150 sf of gray 9x9 floor tile in the first floor and second floor restrooms
- 50 sf of red 9x9 floor tile in the first floor restroom

- 250 sf of linoleum flooring in the Basement level recreation room

() This asbestos-containing material was removed in August of 1989.*

The existing plaster ceiling and wall finishes have not been tested for asbestos.

The building has not been inspected or tested for the presence of lead-based paint or mercury.

Evaluation:

Floor Finishes: The existing hardwood flooring is in fair to good condition. Additional investigation will be required to determine if sufficient material thickness remains for the floors to be successfully sanded and re-finished.

Interior Partitions: Generally in good condition.

Interior Trim: Most wood trim is in good condition, but the paint color is historically inaccurate. Building staff report termites are a problem at the ground floor, such that wood base at this level should be removed and replaced with resilient base.

Ceiling Finishes: Plaster ceilings are generally in good condition. Suspended lay-in ceilings are in poor condition and are unsightly.

Toilet Rooms: Toilet rooms throughout the building do not meet current-day standards for fixtures, piping, finishes, and configuration and should be completely re-done.

Kitchen (Ground Floor): The kitchen finishes and cabinetry are inadequate, generally in poor condition, and should be completely replaced.

Stairs: Stairs are in generally good condition.

Auditorium:

- The hardwood flooring is generally in good condition; additional investigation will be required to determine if sufficient material thickness remains for the floor to be successfully sanded and re-finished.
- The plaster walls are in generally good condition.
- The existing stained wood trim is in generally poor to fair condition.
- The existing stage is poorly designed and constructed and should be completely replaced and reconfigured.
- The suspended lay-in ceiling is inappropriate for a theatre setting and should be completely removed such that the room height is increased up to the existing [higher] plaster ceiling.
- Most of the existing auditorium seating is in fair to good condition and could reasonably be salvaged for re-use, given the historic character of the seating. However, the seating is not padded and thus relatively uncomfortable by current standards. [Note: The city has

previously obtained a sample refurbished seat that demonstrates possible re-use of these seats, The sample seat features dark stained wood, cleaned and reconditioned steel support frame, inset fabric-covered padding on the seat back, and fabric-wrapped cushioned seat bottom.]

- The lighting, HVAC, and sound systems for the auditorium are all inadequate, outdated and in need of replacement.

Hazardous Materials:

- Remaining asbestos-containing materials that have already been identified should be removed as part of the renovation project.
- Should further testing reveal the presence of asbestos in the existing plaster, it should be removed as part of the renovation project only in the areas where it is disturbed (such as for penetrations for mechanical or electrical piping, conduit, etc.).
- Should testing reveal the presence of lead-based paint, it should be removed as part of the renovation project only in the areas where it is deteriorated or where it will be disturbed by new work.
- Should testing reveal the presence of mercury, it should be removed as part of the renovation work.

SECTION 5 –LIFE SAFETY

Existing Conditions/Field Investigation:

Means of Egress, General: The dual main stairs on the north side of the building only qualify as a single exit under current building code criteria, since they both discharge to the same public way [Grove Street] in close proximity to each other. Thus the upper two floor levels only have one means of egress. The ground floor has two means of egress owing to the building entrance on the south side of the building (where the exit discharges to the parking lot). The existing stairs are of sufficient width to accommodate the occupant load, and stairwell doors do correctly swing in the direction of egress (although most lack fire exit hardware and automatic door closers).

Means of Egress, Auditorium: The capacity of the auditorium is less than 300, so there are no special requirements related to this assembly occupancy other than the need for at least two exits. However, the three exits at the rear of the auditorium into the adjacent lobby all feed into the same building exit as cited above.

Means of Egress, Stage: There are no exits from each side of the stage.

Fire Protection/Automatic Fire Suppression System: There is no automatic fire suppression [sprinkler] system for the building.

Fire Alarm System: There is no fire detection or alarm system for the building.

Evaluation:

Means of Egress, General: A second exit stair for the first and second floor levels is required. This stairwell must be “remote” from the existing dual stairs and discharge to a public way other than Grove Street.

Means of Egress, Auditorium: A second means of egress from the auditorium lobby is required.

Means of Egress, Stage: An exit from each side of the stage is required.

Fire Protection/Automatic Fire Suppression System: A sprinkler system in accordance with NFPA 13 is required throughout the building.

Fire Alarm System: A fire detection and alarm system is required throughout the building.

Note: Refer to Appendix B for complete preliminary Building Code Analysis.

SECTION 6 –PLUMBING

Existing Conditions/Field Investigation:

Toilets: Floor-mounted, flush valve, ceramic.

Urinals: Wall-mounted, flush valve, ceramic.

Lavatories:

- Wall-mounted, ceramic, cold water only.
- Service sink, wall-mounted, ceramic.
- Double kitchen sink, counter-mounted, ceramic.
- Triple stainless wash sink, floor-mounted.

Water Cooler: Floor-mounted, stainless steel.

Evaluation:

In general the plumbing fixtures are antiquated and not in compliance with the Americans with Disabilities Act (ADA).

Recommendation: As part of the building renovation all plumbing fixtures should be replaced with new water-efficient fixtures, and fixture layout and spacing should be modified to meet current standards. Also, to the greatest extent feasible all main piping (both domestic and sanitary) should be replaced where not concealed behind finishes that will remain.

SECTION 7 - MECHANICAL

Existing Conditions/Field Investigation:

Source of Heat:

- Steam boiler that supplies steam to cast iron radiators.
- Miscellaneous electric baseboard radiators at various locations.

Distribution System:

- Steam is supplied to radiators via insulated steel piping.
- Air- Handling Units (AHU's) supply conditioned air to adjustable registers mounted in un-insulated hard ductwork.

Temperature Control:

- Steam radiators are controlled by pneumatic thermostats throughout the building.
- Electric baseboard heaters are controlled with built-in electric thermostats.
- Split system A/C units are controlled by electric wall-mounted thermostats.

Source of Cooling: Split system A/C units with Direct Expansion ("dx") cooling.

System Location and Air Handling Areas:

- Boiler is located in the ground level mechanical room and provides steam to radiators located around the perimeter of the building on each floor.
- Electric baseboard radiators are located in the ground level recreation room and offices.
- Electric split system air conditioning units are as follows:
 - An air-handling unit is located in the recreation room and supplies recreation room and offices heating and cooling. An air-cooled condenser is located outside in back of building on a concrete pad.
 - Two air-handling units are located in the auditorium, one on each side of the stage; two five-ton air-cooled condensers supply cooling to dx coils.
 - An air handling unit is located in a storage room at the right rear corner of the 1st floor. An air-cooled condenser supplies cooling to dx coils. All condensers are located in the back of the building on concrete pads.
 - An air-handling unit is located in a storage room at the left rear corner of the 1st floor. Dx coils are supplied cooling by an air-cooled condenser.
 - An air-handling unit is located in a storage room in the right rear corner of the 2nd floor. Dx coils are supplied cooling by an air-cooled condenser.
 - An air-handling unit is located in a storage room in the left rear corner of the 2nd floor. Dx coils are supplied cooling by an air-cooled condenser.
- An exhaust hood with an in-line centrifugal fan serves as exhaust for ceramic kilns on the basement level and is ducted to a wall grille mounted in a window frame.

| Hot Water Source: 40-gallon capacity gas-fired water heater.

Evaluation:

The current HVAC system does not provide for proper zoning. Air-handling units are combined to serve areas with differing external exposures and differing internal loads. Air distribution systems are poor and operate with a considerable amount of noise. This is especially true of the units serving the auditorium. Also, most of the equipment appears to be near the end of its useful service life.

Recommendation: Complete system replacement is recommended to improve operating efficiency, improve thermal comfort and provide for adequate ventilation.

SECTION 8 – ELECTRICAL

Existing Conditions/Field Investigation:

Power:

Electrical service enters the building via overhead wire. Service is 120/240 open delta. The point of entry for the service is in the ground level main mechanical room at the rear of the building. The distribution system appears to have been altered several times over the years to suit new equipment and uses. It is uncertain if all branch wiring and breakers are adequately sized. Surface-mounted conduit and raceways are installed extensively throughout the facility.

Lighting:

Lighting generally consists of pendant-mounted direct/indirect fluorescent fixtures. These fixtures are antiquated. Switching is adequate but does not allow for multi-level lighting control. Auditorium stage lighting is outdated and in need of replacement

Communications and Special Systems:

- There is no fire alarm system in the facility.
- There is no permanent sound system in the Auditorium.

Evaluation:

Power:

Power distribution is adequate for the current use of the facility. Service size and voltage need to be upgraded to support new HVAC equipment and theatrical lighting loads. Also recommend removing surface-mounted raceways and providing new conduit, devices and receptacles.

Lighting:

Replacing the lighting system with modern high-efficiency fixtures, in concert with multi-level switching and motion sensors, would reduce operating cost and provide for proper illumination levels. House lighting and stage lighting in the auditorium should be upgraded. New exit and egress lighting systems are required.

Communications and Special Systems:

A fire alarm system will be required when the building is renovated

SECTION 9 –ACCESSIBILITY

Existing Conditions/Field Investigation:

Currently the Miller Center does not meet the following requirements of the Americans with Disabilities Act Accessibility Guidelines (ADAAG) for persons with physical disabilities:

Site:

- As currently configured the size of the south parking lot requires two (2) designated H/C parking spaces with adjacent parking space access aisle. At least one of the spaces must be van accessible.
- Concrete sidewalks and running slopes in paved areas to be used by persons in wheelchairs cannot exceed 5% (1 in 20) slope.
- A level landing area at least 5' deep is required outside the south building entrance before the start of the access ramp.
- A level landing area at least 5' deep is required immediately outside the north building entrance served by the access ramp.
- The slope of the existing north building entrance ramp exceeds the maximum allowable slope of 8% (1 in 12), and the ramp lacks required edge protection on one side.

Accessible Route:

- There is no interior accessible route between the ground floor and the first floor level.
- There is no accessible route to the second floor.
- The platform lift does not have standby power in order to qualify as an accessible means of egress from the first floor.
- The auditorium stage is not wheelchair accessible.
- Existing door hardware does not meet graspability criteria.
- The existing doors at the rear of the auditorium (pairs of 30-inch wide leaves) do not provide the required minimum 32-inch clear width for wheelchair access.

Plumbing Elements and Facilities

- Accessible toilet facilities are only located on the ground floor (i.e., not sufficiently distributed vertically throughout the building).
- Drinking fountains do not meet the required spout heights of both 36" above the floor maximum for wheelchair-bound persons and 38" minimum to 43" maximum for standing persons.
- Grab bar configurations at water closets are not in compliance with current requirements.
- Some toilet room accessories do not meet the maximum mounting height requirements.

Communication Elements and Features

- Interior signage does not meet requirements for raised characters; character proportions, case, style, height, stroke thickness and character spacing; line spacing; Braille; pictograms; and mounting height and location.
- The auditorium does not provide access to assisted listening system(s).

Special Rooms, Spaces, and Elements

- The auditorium does not provide dedicated wheelchair seating spaces with adjacent companion seating.
- The auditorium does not provide designated aisle seats.
- The kitchen does not provide 34" maximum height work surface [counter] and clearance for forward-approach sink.

Built-In Elements

- The customer service counter does not provide for wheelchair patron use.

Evaluation:

All deficiencies cited above should be corrected as part of the renovation project including, but not limited to, the following.

Site:

- The parking lot and adjacent sidewalks reconfigured to provide the required accessible parking spaces and route.
- Pavement leading to the south building entrance reworked to provide level landing area immediately outside the door
- North building entrance ramp removed altogether.

Accessible Route:

- Elevator added for access to all three levels.
- Platform lift removed and original stair configuration restored.
- The auditorium stage reconfigured to provide for wheelchair accessibility.
- Existing door hardware replaced with levers.
- Auditorium doors modified or replaced so at least one leaf provides required clear width at each entrance to remain.

Plumbing Elements and Facilities

- Accessible toilet facilities provided on all levels if possible; as a minimum, distributed vertically so that travel from any one level without accessible toilet facilities to another level with accessible toilet facilities does not exceed one floor.
- Drinking fountains replaced with code-compliant models.
- Grab bars provided at water closets in compliance with current requirements.
- Toilet room accessories mounted to meet maximum mounting height requirements.

Communication Elements and Features

- Code-compliant interior signage provided throughout.
- Auditorium equipped with assisted listening system(s).

Special Rooms, Spaces, and Elements

- Auditorium seating reconfigured to provide dedicated wheelchair seating spaces with

- adjacent companion seating.
- Auditorium seating reconfigured to provide designated aisle seats.
- Kitchen modified to provide 34" maximum height work surface [counter] and clearance for forward-approach sink.

Built-In Elements

- The customer service counter modified or reconfigured to provide for wheelchair patron use.

SUMMARY

The existing building and site are in generally good condition, given the age of the facility and the lack of any major renovation work in the past 30 years. The layout of the building is generally conducive for its continued use as a Recreation Center, and its historical significance warrants its reuse.

A thorough and thoughtful renovation that provides needed upgrades to address the deficiencies cited in this analysis should produce a facility that is capable of serving the needs of the citizens of Lynchburg for decades to come. In addition to programmatic and functional considerations, the scope of major physical alterations should include the following:

- New parking lot and sidewalks
- Removal of non-conforming ramp at north entrance
- Elevator serving all three floors
- Second "remote" fire-rated exit stairwell
- Re-roofing
- Auditorium upgrades for accessibility, stage exits, acoustics, sound and lighting systems
- Toilet facilities distributed throughout the building
- Sprinkler system
- Plumbing system overhaul
- Mechanical system overhaul
- Electrical system overhaul

Appendix 'A'

Sustainable Design Opportunities



MILLER CENTER RENOVATION

Lynchburg, Virginia

CMSS Project No. 09-128.000

SUSTAINABLE DESIGN OPPORTUNITIES

FEBRUARY 1, 2010

The following opportunities for incorporating sustainable design ["green"] building practices into the project will be investigated by the design team during subsequent phases of the project.

Building and Material Re-Use

- ☐ Re-use of the building itself (100% of the shell) [*Note: this is the "greenest" approach or strategy for the project as a whole, as opposed to demolition and new construction*].
- ☐ Salvage existing auditorium seating and refurbish for re-use.
- ☐ Pulverize demolished concrete and asphalt on-site for use as fill material.

Energy Efficiency & Performance

- ☐ Increase roof insulation thickness.
- ☐ Use roof membrane with high reflectivity.
- ☐ Add "storm windows" on the interior side of existing windows to remain.
- ☐ Use more efficient HVAC equipment and CFC-free refrigerant.

Water Use

- ☐ Replace plumbing fixtures with more efficient fixtures.
- ☐ Use only drip (or no) irrigation for landscaping; use captured rainwater via "rain barrels" to supply irrigation water near the building perimeter.

Materials and Resources

- ☐ Use materials with high recycled content where feasible.
- ☐ Use regional materials where feasible.

Indoor Air Quality and Work Environment

- ☐ Require contractor to develop and implement Construction Waste Management plan to divert debris from landfill.
- ☐ Use paints, sealants, adhesives, etc. with low VOC (Volatile Organic Compound) content.
- ☐ Use "green" carpet [certified by the Carpet and Rug Institute].
- ☐ Maximize daylighting via appropriate window treatment for large existing windows.

Preliminary Building Code Analysis

BUILDING CODE INFORMATION

101.1 APPLICABLE CODES

**BUILDING CODE: 2006 VIRGINIA UNIFORM STATEWIDE BUILDING CODE
(EFFECTIVE DATE MAY 1, 2008)
(IBC 2006 WITH VIRGINIA AMENDMENTS)**

**ACCESSIBILITY: ICC/ANSI A117.1-03, ACCESSIBLE AND USEABLE
BUILDINGS AND FACILITIES.**

**ELEVATOR: ASME A17.1-00, SAFETY CODE FOR ELEVATORS AND
ESCALATORS (WITH 2002/2003 ADDENDA).**

IECC-06 INTERNATIONAL ENERGY CONSERVATION CODE.

IFC-06 INTERNATIONAL FIRE CODE.

PLUMBING: IPC-06, INTERNATIONAL PLUMBING CODE, 2006 EDITION.

**MECHANICAL: IMC-06, INTERNATIONAL MECHANICAL CODE, 2006
EDITION.**

**ELECTRICAL: NATIONAL ELECTRICAL CODE, 2005 EDITION, AS
REFERENCED IN THE ICC-06 ELECTRICAL CODE.**

302.1 USE GROUP CLASSIFICATION

MIXED USE; REFER TO 508.3.3.

410.3.1 STAGE CONSTRUCTION

**FIRE-RESISTANCE RATED FLOOR NOT REQUIRED PER EXCEPTION 2 FOR
SPRINKLERED BUILDING**

410.3.4 PROSCENIUM WALL

**FIRE-RATED PROSCENIUM WALL NOT REQUIRED (STAGE IS LESS THAN
50 FEET IN HEIGHT)**

410.3.7 STAGE VENTILATION

**ROOF VENTS AND SMOKE CONTROL NOT REQUIRED (STAGE IS LESS
THAN 1000 SF IN AREA AND 50 FEET IN HEIGHT).**

410.5.1 SEPARATION FROM STAGE

COMPARTMENTS APPURTENANT TO THE STAGE = 1-HOUR

410.5.2 STAGE EXITS

MINIMUM ONE MEANS OF EGRESS FROM EACH SIDE OF THE STAGE.

410.7 STANDPIPES (AT STAGE)

NOT REQUIRED, PER EXCEPTION TO 905.3.4 (STAGE IS LESS THAN 1,000 SF IN AREA).

503.1 ALLOWABLE HEIGHT

TYPE III B CONSTRUCTION
GROUP A-1 GOVERNS

TABULAR LIMIT	=	2 STORIES, 55 FT.
SPRINKLER SYSTEM INCREASE	=	<u>1 STORY, 20 FT.</u>
ALLOWABLE HEIGHT	=	3 STORIES, 75 FT.
ACTUAL BUILDING HEIGHT	=	3 STORIES, 48 FT.

503.1 ALLOWABLE AREA

TYPE III B CONSTRUCTION
GROUP A-1 GOVERNS

TABULAR LIMIT	=	8,500 SF PER FLOOR
SPRINKLER SYSTEM INCREASE	=	<u>17,000 SF PER FLOOR</u>
ALLOWABLE AREA	=	25,500 SF PER FLOOR

ACTUAL FLOOR AREAS:

GROUND LEVEL		
EXISTING	9,490 SF	
ADDITION	630 SF	
SUB-TOTAL		10,120 SF
FIRST FLOOR		
EXISTING	9,490 SF	
ADDITION	600 SF	
SUB-TOTAL		10,090 SF
SECOND FLOOR		
EXISTING	7,020 SF	
ADDITION	600 SF	
SUB-TOTAL		<u>7,620 SF</u>
TOTAL FLOOR AREA		27,830 SF

508.2 INCIDENTAL USE AREAS

QUALIFYING BOILER ROOM:	SMOKE PARTITIONS (*)
STORAGE ROOMS OVER 100 SF:	SMOKE PARTITIONS (*)

(*) WITH SPRINKLER PROTECTION

508.3.1 ACCESSORY USE AREAS

NOT APPLICABLE.

508.3.3 MIXED OCCUPANCY, NON-SEPARATED

**GROUP B BUSINESS
GROUP A-1 ASSEMBLY**

602.2 TYPE OF CONSTRUCTION

**TYPE III B
[NONCOMBUSTIBLE/COMBUSTIBLE, UNPROTECTED]**

**602.2 REQUIRED FIRE RESISTANCE RATING OF STRUCTURE ELEMENTS
(TABLE 601)**

STRUCTURAL FRAME	=	0 HOURS
EXTERIOR BEARING WALLS	=	2 HOURS
INTERIOR BEARING WALLS	=	0 HOURS
NON-BEARING INT WALLS & PRTNS	=	0 HOURS
FLOOR CONSTRUCTION	=	0 HOURS
ROOF CONSTRUCTION	=	0 HOURS

**602.2 REQUIRED FIRE RESISTANCE RATING OF NON-BEARING EXTERIOR
WALLS BASED ON FIRE SEPARATION DISTANCE
(TABLE 602)**

DISTANCE		GROUPS A, B
LESS THAN 30 FEET	=	1 HOUR
GREATER THAN 30 FEET	=	0 HOURS

704.8 MAXIMUM AREA OF EXTERIOR WALL OPENINGS

UNPROTECTED OPENINGS, BASED ON FIRE SEPARATION DISTANCE:

LESS THAN 5 FT	=	NOT PERMITTED
5 FEET TO 10 FEET	=	10%
10 FEET TO 15 FEET	=	15%
15 FEET TO 20 FEET	=	25%
20 FEET TO 25 FEET	=	45%
25 FEET TO 30 FEET	=	70%
GREATER THAN 30 FEET	=	NOT LIMITED

707.4 SHAFT ENCLOSURES, FIRE-RESISTANCE RATING

CONNECTING LESS THAN FOUR STORIES = 1 HOUR

707.14.1 ELEVATOR LOBBY

LOBBY SEPARATION NOT REQUIRED PER VIRGINIA AMENDMENTS.

717.2 FIREBLOCKING

**REQUIRED TO CUT OFF CONCEALED DRAFT OPENINGS:
BETWEEN FLOORS
BETWEEN A TOP STORY AND ROOF OR ATTIC SPACE**

ARCHITECTURAL TRIM (MAX. 20 FOOT INTERVALS)

717.3 DRAFTSTOPPING IN FLOOORS

NOT REQUIRED, PER EXCEPTION TO 717.3.3 FOR SPRINKLERED BUILDING

720.1 PRESCRIPTIVE FIRE RESISTANCE

SOLID CLAY OR SHALE BRICK WALLS

1-HOUR RATED = 2.7" MIN. THICKNESS

2-HOUR RATED = 3.8" MIN. THICKNESS

HOLLOW CLAY OR SOLID BRICK WALLS

1-HOUR RATED = 2.3" MIN. THICKNESS

2-HOUR RATED = 3.4" MIN. THICKNESS

903.2 AUTOMATIC FIRE SUPPRESSION SYSTEM

**AUTOMATIC FIRE SUPPRESSION SYSTEM REQUIRED THROUGHOUT
(GROUP A-1 USE EXCEEDING 12,000 SF).**

905.3.1 SPRINKLER SYSTEM STANDPIPES

**STANDPIPES NOT REQUIRED (FLOOR LEVEL OF THE HIGHEST STORY IS
LESS THAN 30 FEET ABOVE LEVEL OF FIRE DEPARTMENT VEHICLE
ACCESS).**

1004.1 DESIGN OCCUPANT LOAD:

**OCCUPANT LOAD CALCULATIONS ARE BASED ON THE FOLLOWING
FACTORS:**

ASSEMBLY W/ FIXED SEATS	=	NUMBER OF SEATS	
ASSEMBLY W/OUT FIXED SEATS:			
UNCONCENTRATED (TABLES & CHAIRS)		1 PERSON/15 SF	NET
CLASSROOM AREA		1 PERSON/20 SF	NET
BUSINESS AREAS	=	1 PERSON/100 SF	GROSS
STAGE	=	1 PERSON/15 SF	NET
STORAGE AREAS	=	1 PERSON/300 SF	GROSS
MECHANICAL EQUIPMENT ROOMS	=	1 PERSON/300 SF	GROSS

OCCUPANT LOADING:

GROUND LEVEL	=	227
FIRST FLOOR	=	351
SECOND FLOOR	=	<u>129</u>
TOTAL		<u>707</u>

1014.3 COMMON PATH OF EGRESS TRAVEL

GROUP A-1	=	75 FT MAXIMUM
GROUP B	=	100 FT MAXIMUM

**1015.1 SPACES REQUIRING TWO EXITS OR EXIT ACCESS DOORWAYS
(BASED ON OCCUPANT LOAD)**

GROUPS A AND B = 50 OR MORE PER VA. AMENDMENT

1016.1 EXIT ACCESS TRAVEL DISTANCE

GROUP A = 250 FT MAXIMUM
GROUP B = 300 FT MAXIMUM

1017.1 CORRIDOR FIRE RESISTANCE RATING

GROUPS A AND B = 0 HOURS

1017.2 CORRIDOR WIDTH

44 INCHES MINIMUM, EXCEPT WHERE GREATER WIDTH IS REQUIRED BY OCCUPANT LOAD CALCULATION.

1017.3 DEAD END CORRIDOR

GROUP A = 20 FEET MAXIMUM
GROUP B = 50 FEET MAXIMUM

1019.1 MINIMUM NUMBER OF EXITS

ALL FLOORS (LESS THAN 500 OCCUPANTS PER FLR) = 2

1020.1 VERTICAL EXIT ENCLOSURES

INT. EXIT STAIRWAYS CONNECTING LESS THAN 4 STORIES = 1-HOUR

1025.2 ASSEMBLY MAIN EXIT

NOT REQUIRED (OCCUPANT LOAD LESS THAN 300)

1025.8 COMMON PATH OF EGRESS TRAVEL (ASSEMBLY)

30 FEET MAXIMUM FROM ANY SEAT TO A POINT WHERE AN OCCUPANT HAS A CHOICE OF TWO PATHS OF EGRESS TRAVEL TO TWO EXITS.

1025.9.1 MINIMUM AISLE WIDTH

42 INCHES CLEAR (RAMPED AISLES WITH SEATING ON BOTH SIDES)

1025.13 HANDRAILS (AT RAMPED AISLES)

NOT REQUIRED FOR SLOPE LESS THAN 1:8 AND SEATING ON BOTH SIDES

**1106.1 REQUIRED ACCESSIBLE PARKING SPACES
(TABLE 1106.1)**

MINIMUM OF 3 (FOR LOT BETWEEN 51 AND 75 TOTAL SPACES)

VAN SPACES

MINIMUM OF 1 (ONE FOR EVERY SIX OR FRACTION THEREOF)

WHEELCHAIR SPACES (THEATER)
(TABLE 1108.2.2.1)

MINIMUM OF 5 (FOR SEATING CAPACITY BETWEEN 101 AND 300)

DESIGNATED AISLE SEATS

MINIMUM OF 2 (FIVE PERCENT OF TOTAL NUMBER OF AISLE SEATS)

PERFORMANCE AREAS

AN ACCESSIBLE ROUTE SHALL CONNECT THE PERFORMANCE AREA TO THE ASSEMBLY SEATING AREA.

MINIMUM NUMBER OF PLUMBING FIXTURES

GROUP B (OFFICES)
TOTAL OCCUPANT LOAD = 60

WATER CLOSETS

(1 PER 25 FOR FIRST 50, 1 PER 50 THEREAFTER)

NO. FEMALE WATER CLOSETS REQUIRED = 1.1

NO. MALE WATER CLOSETS REQUIRED = **1.1**

LAVATORIES

(1 PER 40 FOR FIRST 80, 1 PER 80 THEREAFTER)

NO. FEMALE LAVATORIES REQUIRED = 0.8

NO. MALE LAVATORIES REQUIRED = 0.8

DRINKING FOUNTAINS

NO. REQUIRED (1 PER 100) = 0.6

SERVICE SINK

NO. REQUIRED (1 PER BUILDING) = 1

GROUP E (CLASSROOMS)
TOTAL OCCUPANT LOAD = 209

WATER CLOSETS

NO. FEMALE WATER CLOSETS REQ'D (1 PER 50) = 2.1

NO. MALE WATER CLOSETS REQ'D (1 PER 50) = 2.1

LAVATORIES

NO. FEMALE LAVATORIES REQ'D (1 PER 50) = 2.1

NO. MALE LAVATORIES REQ'D (1 PER 50)	=	2.1
--------------------------------------	---	-----

DRINKING FOUNTAINS

NO. REQUIRED (1 PER 100) = 2.1

SERVICE SINK		
NO. REQUIRED (1 PER BUILDING)	=	1

GROUP A-1 (ASSEMBLY SPACES)
TOTAL OCCUPANT LOAD = 438

MALE WATER CLOSETS (219 OCCUPANTS)		
NO. REQUIRED (1 PER 125)	=	1.8

MALE LAVATORIES (219 OCCUPANTS)		
NO. REQUIRED (1 PER 200)	=	1.1

FEMALE WATER CLOSETS (219 OCCUPANTS)		
NO. REQUIRED (1 PER 65)	=	3.4

FEMALE LAVATORIES (219 OCCUPANTS)		
NO. REQUIRED (1 PER 200)	=	1.1

DRINKING FOUNTAINS (438 OCCUPANTS)		
NO. REQUIRED (1 PER 500)	=	0.9

SERVICE SINK		
NO. REQUIRED (1 PER BUILDING)	=	1

COMBINED MINIMUM NUMBER OF FIXTURES
GROUPS B, E AND A

MALE WATER CLOSETS		
TOTAL NO. REQUIRED (1.1 + 2.1 + 1.8)	=	5
NO. PROVIDED	=	6 (*)

MALE LAVATORIES		
TOTAL NO. REQUIRED (0.8 + 2.1 + 1.1)	=	4
NO. PROVIDED	=	5

FEMALE WATER CLOSETS		
TOTAL NO. REQUIRED (1.1 + 2.1 + 3.4)	=	7
NO. PROVIDED	=	8

FEMALE LAVATORIES		
TOTAL NO. REQUIRED (0.8 + 2.1 + 1.1)	=	4
NO. PROVIDED	=	5

DRINKING FOUNTAINS		
TOTAL NO. REQUIRED (0.6 + 2.1 + 0.9)	=	4
NO. PROVIDED	=	4

SERVICE SINK		
NO. REQUIRED (1 PER BUILDING)	=	1
NO. PROVIDED	=	2

(*) URINALS PERMITTED FOR UP TO 50% OF REQUIRED NO. FOR GROUP B AND UP TO 67% OF REQUIRED NO. FOR GROUPS A AND E (I.E., ONLY 3 OF THE 4 URINALS COUNT TOWARD MEETING MINIMUM NO. OF FIXTURES)

3004.1 ELEVATOR HOISTWAY VENTING

NOT REQUIRED (HOISTWAY DOES NOT PENETRATE MORE THAN THREE STORIES).

3410.6 EVALUATION PROCESS (EXISTING BUILDING)

REFER TO SECTION 3410 WORKSHEET

SECTION 3410 WORKSHEET

3410.6.1 BUILDING HEIGHT

AH = 75' (ALLOWABLE HT FROM TABLE 503, W/ SPRINKLER INCR)
EBH = 48' (EXISTING BUILDING HEIGHT IN FEET)
AS = 3 (ALLOWABLE HT IN STORIES, W/ SPRINKLER INCR.)
EBS = 3 (EXISTING BLDG HEIGHT IN STORIES)
CF = 1

$$\text{HEIGHT VALUE, FEET} = \frac{75' - 48'}{12.5} \times 1 = 2.1$$

$$\text{HEIGHT VALUE, STORIES} = (3 - 3) \times 1 = 0 \quad \text{USE } 0$$

3410.6.2 BUILDING AREA

ALLOWABLE AREA FORMULA,
SP (PERCENT INCREASE FOR SPRINKLERS) = 200%
OP (PERCENT INCREASE FOR OPEN PERIMETER) = 51%

$$\text{FOR OP, FRONTAGE INCREASE} = 100 [(314 \text{ FT}/414 \text{ FT}) - .25] \times (30 / 30) = 51\%$$

$$AA = \frac{(200 + 51 + 100) \times 8,500}{100} = 29,835 \text{ SF}$$

$$\text{AREA VALUE} = \frac{29,835}{1,200} [1 - (23,673/89,505)] = 18.3, \text{ USE } 12$$

3410.6.3 COMPARTMENTATION

COMPARTMENT SIZE IS GREATER THAN 15,000 SF (CATEGORY 'A')
COMPARTMENTATION VALUE = 0

3410.6.4 TENANT AND DWELLING UNIT SEPARATIONS

ONLY ONE TENANT (CATEGORY 'C').
TENANT AND DWELLING UNIT SEPARATION VALUE = 0

3410.6.5 CORRIDOR WALLS

CORRIDOR WALLS: LESS THAN 1 HOUR RATED (CATEGORY 'B')
CORRIDOR WALLS VALUE = 4
(GROUP A-1 VALUE GOVERNS)

3410.6.6 VERTICAL OPENINGS

(EXISTING STAIRWELL WALLS EQUIVALENT TO 1-HOUR RATING)

PV (PROTECTION VALUE) = 1 (FOR 1-HR RATING)
CF (CONSTRUCTION TYPE FACTOR) = 3.5 (FOR TYPE III B CONSTR.)
VO (VERTICAL OPENING VALUE) = $1 \times 3.5 = \underline{3.5}$

3410.6.7 HVAC SYSTEMS

SYSTEMS IN COMPLIANCE WITH MECHANICAL CODE (CATEGORY 'D')
HVAC SYSTEMS VALUE = 0

3410.6.8 AUTOMATIC FIRE DETECTION

SMOKE DETECTORS INSTALLED THROUGHOUT (CATEGORY 'E')
AUTOMATIC FIRE DETECTION VALUE = 6
(GROUP A-1 VALUE GOVERNS)

3410.6.9 FIRE ALARM SYSTEMS

FIRE ALARM PROVIDED THROUGHOUT (CATEGORY 'C')
FIRE ALARM SYSTEM VALUE = 0

3410.6.10 SMOKE CONTROL

SPRINKLER SYSTEM THROUGHOUT, WITH OPERABLE WINDOWS
(CATEGORY 'B')
SMOKE CONTROL VALUE = 1
(GROUP A-1 VALUE GOVERNS)

3410.6.11 MEANS OF EGRESS CAPACITY AND NUMBER

CAPACITY AND NO. OF MEANS OF EGRESS COMPLY WITH CODE
(CATEGORY 'B')
MEANS OF EGRESS VALUE = 0

3410.6.12 DEAD ENDS

MAX DEAD END CORRIDOR 20 FT
CATEGORY 'B'
DEAD END VALUE = 0

3410.6.13 MAXIMUM EXIT ACCESS TRAVEL DISTANCE

MAXIMUM ALLOWABLE TRAVEL DISTANCE = 250 FT.
MAXIMUM ACTUAL TRAVEL DISTANCE = 100 FT.
POINTS = $20 \times [(250 - 100)/250] = 12.0$, USE 12

3410.6.14 ELEVATOR CONTROL

ELEVATOR SERVING ALL FLOORS COMPLIES W/ NEW CONSTRUCTION
REQUIREMENTS (CATEGORY 'D')

TRAVEL DISTANCE 25 FEET OR MORE
ELEVATOR CONTROL VALUE = 4

3410.6.15 MEANS OF EGRESS EMERGENCY LIGHTING

EMERGENCY POWER FOR MEANS OF EGRESS LIGHTING & EXIT SIGNS,
TWO OR MORE EXITS
CATEGORY 'B'
MEANS OF EGRESS EMERGENCY LIGHTING VALUE = 0

3410.6.16 MIXED OCCUPANCIES

MIXED OCCUPANCIES NON-SEPARATED, AS ALLOWED BY 508.3.2.
MIXED OCCUPANCIES VALUE = 0

3410.6.17 AUTOMATIC SPRINKLERS

SPRINKLERS REQUIRED AND PROVIDED THROUGHOUT (CATEGORY 'E')
AUTOMATIC SPRINKLERS VALUE = 4
(GROUP A-1 VALUE GOVERNS)

3410.6.18 INCIDENTAL USE

PROTECTION OF INCIDENTAL USE AREAS COMPLIES WITH 508.2
INCIDENTAL USE VALUE = 0

**TABLE 3410.7
SUMMARY SHEET – BUILDING CODE**

Existing occupancy: Mixed (A-1 & B)		Proposed occupancy: Mixed (A-1 & B)	
Year building was constructed: 1911		Number of stories: 3	Height in feet: 48
Type of construction: III B		Area per floor: Max. 10,120 SF (1st Floor)	
Percentage of open perimeter: 76%		Percentage of height reduction: %	
Completely suppressed: Yes ☒ No ☐		Corridor wall rating: 0 hour	
Compartmentation: Yes ☐ No ☒		Required door closers: Yes ☒ No ☐	
Fire resistance rating of vertical opening enclosures: 0 hours			
Type of HVAC system: Heat pump		serving number of floors 3	
Automatic fire detection: Yes ☒ No ☐		Type and location: See Electrical Drawings.	
Fire alarm system: Yes ☒ No ☐		Type: See Electrical Drawings.	
Smoke control: Yes ☒ No ☐		Type: Sprinklers and operable windows	
Adequate exit routes: Yes ☒ No ☐		Dead ends: Yes ☒ No ☐	
Maximum exit access travel distance: 100 ft.		Elevator controls: Yes ☒ No ☐	
Means of egress emergency lighting: Yes ☒		No ☐	Mixed occupancies: Yes ☒ No ☐
SAFETY PARAMETERS	FIRE SAFETY (FS)	MEANS OF EGRESS (ME)	GENERAL SAFETY (GS)
3410.6.1 Building Height	0	0	0
3410.6.2 Building Area	8	8	8
3410.6.3 Compartmentation	0	0	0
3410.6.4 Tenant & Dwelling Unit Separations	0	0	0
3410.6.5 Corridor Walls	-4	-4	-4
3410.6.6 Vertical Openings	3.5	3.5	3.5
3410.6.7 HVAC Systems	0	0	0
3410.6.8 Automatic Fire Detection	6	6	6
3410.6.9 Fire Alarm System	0	0	0
3410.6.10 Smoke Control	****	1	1
3410.6.11 Means of Egress	****	0	0
3410.6.12 Dead Ends	****	0	0
3410.6.13 Max. Exit Access Travel Dist.	****	12	12
3410.6.14 Elevator Control	4	4	4
3410.6.15 Means of Egress Emerg Lighting	****	0	0
3409.6.16 Mixed Occupancies	0	****	0
3409.6.17 Automatic Sprinklers	4	4 + 2 = 2	4
3409.6.18 Incidental Use Area Protection	0	0	0
Building Score – total value	21.5	32.5	34.5
Mandatory Safety Score, Use Group A-1	16	27	27
	PASS	PASS	PASS

****No applicable value to be inserted.

RENOVATIONS TO MILLER CENTER

Lynchburg, Virginia

Project No. 008261

Prepared For:

LYNCHBURG DEPT. OF PARKS & RECREATION
301 Grove Street
Lynchburg, Virginia

OPINION OF PROBABLE CONSTRUCTION COST *Design Development Submittal*

November 9, 2010

H&A

architects & engineers

HANKINS & ANDERSON

ha-inc.com

REV 1- WITH DESIGN TEAM COMMENTS							
Report:	Design Development Cost Estimate		Prepared by: Downey & Scott, LLC		Status:	Design Development PM: gs/mv	
Project:	Miller Center Renovations and Addition		8799 Kennedy Road, Unit F		Client:	CMSS Architects	Chckd by: bl
Location:	301 Grove Street, Lynchburg, VA		Warrenton, VA 20187		Submission:	Design Developemen	Revision 2
Plans Dated:	Civil 10/20/10; Arch 10/20/10		Ph (540) 347-5001		Run Date:	See footer	11/06/2010
							Revised 11/9/10
					Renovation	Ground Floor GSF	9,168.00
					Renovation	First Floor GSF	9,168.00
					Renovation	Second Floor GSF	6,788.00
					Total Reno.	GSF	25,124.00
					New Const.	Ground Floor GSF	640.00
					New Const.	First Floor GSF	640.00
					New Const.	Second Floor GSF	640.00
					Total New Const.	GSF	1,920.00
					Total	GSF	28,964.00
Location	CSI Division		Description	Quantity	Unit Measure	Unit Cost	Extension

HARD CONSTRUCTION COSTS

PROJECT EXECUTIVE SUMMARY SHEET

		Program SF		Cost per SF	Totals
Base Bid	Renovation plus Elevator Tower	28,964	GSF	188.18	\$5,450,374

Any questions regarding this estimate please call Gary Salpini at (540) 347-5001 or email to gary@downeyscott.com

Clarifying notes:

We include Hard Construction costs only. All soft costs will need to be added to our cost estimate to arrive at total project costs.

We do not include removing, storing and reinstallation of existing furnishings currently inside the existing building

We include rough in and pull strings for data and phone systems, not included: outlets, terminations, equipment and cabling for data servers, workstations, phone server, phone equip. etc.

We do not include any new owner furnishings other than new built in casework; no FF&E included

We do not include any phasing costs, as the project will be performed in an unoccupied building in one continuous operation

Our estimate assumes the conventional Design/Bid/Build process with a minimum of FIVE (5) competitive bids received.

Soft Costs not included in this estimate include:

A/E Fees.

Printing and Advertising Costs.

Legal Costs.

Moving Expenses.

New FF&E purchases.

Acquisition or Real Estate Costs.

Easements or proffers.

Permits, tap fees, utility fees.

Data and phone system equipment.

HAZMAT survey, testing, or identification.

Construction Contingency for owner generated or requested change orders during construction

REV 1- WITH DESIGN TEAM COMMENTS												
Report:	Design Development Cost Estimate			Prepared by: Downey & Scott, LLC	Status:	Design Development	PM: gs/mv	gary@downeyscott.com				
Project:	Miller Center Renovations and Addition			6799 Kennedy Road, Unit F	Client:	CMSS Architects	Chckd by: bl	bl@downeyscott.com				
Location:	301 Grove Street, Lynchburg, VA			Warrenton, VA 20187	Submission:	Design Developemen		Revision 2				
Plans Dated:	Civil 10/20/10; Arch 10/20/10			Ph (540) 347-5001	Run Date:	See footer	11/06/2010	Revised 11/9/10				
					Renovation	Ground Floor GSF	9,188.00					
					Renovation	First Floor GSF	9,188.00					
					Renovation	Second Floor GSF	6,786.00					
					Total Reno.	GSF	25,124.00					
					New Const.	Ground Floor GSF	640.00					
					New Const.	First Floor GSF	640.00					
					New Const.	Second Floor GSF	640.00					
					Total New Const.	GSF	1,920.00					
					Total	GSF	28,964.00					
									Unit	Unit		
									Measure	Cost	Extension	
					Location	CSI Division		Description	Quantity			

Base Bid Summary		Base Bid- CSI Divisional Summary		New Construction	Renovations	Total
Base Bid Summary						
Base Bid Summary	1.00	General Conditions		\$220,412	Incl. in new const.	\$220,412
Base Bid Summary	2.00	Sitework		\$532,517	Incl. in new const.	\$532,517
Base Bid Summary	2.00	Selective Demolition		\$16,894	\$242,931	\$259,825
Base Bid Summary	3.00	Concrete		\$58,027	\$17,376	\$75,402
Base Bid Summary	4.00	Masonry		\$201,288	\$67,792	\$269,080
Base Bid Summary	5.00	Metals		\$75,209	\$26,737	\$101,946
Base Bid Summary	6.00	Woods and Plastics		\$136,281	\$181,261	\$317,541
Base Bid Summary	7.00	Thermal and Moisture Protection		\$18,242	\$113,465	\$131,707
Base Bid Summary	8.00	Doors and Windows		\$124,249	\$129,126	\$253,375
Base Bid Summary	9.00	Finishes		\$29,965	\$270,825	\$300,790
Base Bid Summary	10.00	Specialties		\$1,305	\$55,431	\$56,736
Base Bid Summary	11.00	Equipment		\$0	\$327,639	\$327,639
Base Bid Summary	12.00	Furnishings		\$766	\$74,901	\$75,667
Base Bid Summary	13.00	Special Construction		\$0	\$0	\$0
Base Bid Summary	14.00	Conveying systems		\$76,450	\$0	\$76,450
Base Bid Summary	15.00	HVAC systems		\$31,265	\$698,554	\$729,820
Base Bid Summary	15.10	Sprinkler systems		\$10,404	\$164,666	\$175,070
Base Bid Summary	15.50	Plumbing		\$5,088	\$101,579	\$106,667
Base Bid Summary	16.00	Electrical		\$34,164	\$708,733	\$742,897
Base Bid Summary		Subtotal		\$1,572,326	\$3,181,016	\$4,753,342
Base Bid Summary	Mark ups	GC Overhead and Profit	Competitively Bid	6.00%	\$0	\$285,201
Base Bid Summary	Mark ups	Subtotal		\$1,572,326	\$3,181,016	\$5,038,542
Base Bid Summary	Mark ups	Performance / Payment Bonds and Insurance		1.50%	\$0	\$75,578
Base Bid Summary	Mark ups	Subtotal		\$1,572,326	\$3,181,016	\$5,114,121
Base Bid Summary	Mark ups	Design Contingency		5.00%	\$0	\$255,708
Base Bid Summary	Mark ups	Subtotal		\$1,572,326	\$3,181,016	\$5,369,827
Base Bid Summary	Mark ups	Escalation to bid date	July 2011	1.50%	\$0	\$80,547
Base Bid Summary	Total	Total Base Bid		\$1,572,326	\$3,181,016	\$5,450,374
Base Bid Summary	SF Costs	Cost per SF		\$818.92	\$126.61	\$188.18

REV 1- WITH DESIGN TEAM COMMENTS							
Report:	Design Development Cost Estimate			Prepared by: Downey & Scott, LLC	Status:	Design Development PM: gs/mv	
Project:	Miller Center Renovations and Addition			6799 Kennedy Road, Unit F	Client:	CMSS Architects	Chckd by: bl
Location:	301 Grove Street, Lynchburg, VA			Warrenton, VA 20187	Submission:	Design Developemen	Revision 2
Plans Dated:	Civil 10/20/10; Arch 10/20/10			Ph (540) 347-5001	Run Date:	See footer	11/06/2010 Revised 11/9/10
					Renovation	Ground Floor GSF	9,166.00
					Renovation	First Floor GSF	9,168.00
					Renovation	Second Floor GSF	6,788.00
					Total Reno.	GSF	25,124.00
					New Const.	Ground Floor GSF	640.00
					New Const.	First Floor GSF	640.00
					New Const.	Second Floor GSF	640.00
					Total New Const.	GSF	1,920.00
					Total	GSF	28,964.00
					Location	CSI Division	

Add Alternate Summary		ADD ALTERNATE #1	Add Alternate #1 is the extension of the crosswalk beyond the north side curb line of Grove Street and includes the added Avlary parking. Work from the North side curb line southerly to the building is in the base bid.				
Add Alternate Summary			Note: Add Alternate pricing is based upon the alternate being accepted and awarded with the Base Bid and work proceeding concurrently with the Base Bid sitework package.				
Add Alternate Summary							Total
Add Alternate Summary		Sitework Subtotal without mark ups, carried forward					\$165,878
Add Alternate Summary		Subtotal					\$165,878
Add Alternate Summary	Mark ups	GC Overhead and Profit		6.00%			\$9,953
Add Alternate Summary	Mark ups	Subtotal					\$175,830
Add Alternate Summary	Mark ups	Performance / Payment Bonds and Insurance		1.50%			\$2,637
Add Alternate Summary	Mark ups	Subtotal					\$178,468
Add Alternate Summary	Mark ups	Design Contingency		5.00%			\$8,923
Add Alternate Summary	Mark ups	Subtotal					\$187,391
Add Alternate Summary	Mark ups	Escalation to bid date	Mid 2012	1.50%			\$2,811
Add Alternate Summary	Total	Total Alternate #1					\$190,202

SERVICE AREA
Parks and Recreation

DEPARTMENT
Parks and Recreation

LOCATION
Miller Center, Grove Street

PROJECT TITLE/PROJECT NUMBER
MILLER RECREATION CENTER RENOVATION / P0072

PROJECT TYPE
New

DEPARTMENT PRIORITY

Project has legal or regulatory mandate
Project required to support important but not essential services
Project contributes to generation of new revenue



PROJECT DESCRIPTION

Renovation of historic Miller Center including plumbing, electrical and HVAC systems; flooring, ceiling, and roof replacement; elevator installation, classroom, office and auditorium renovations; ADA/accessibility, landscaping, and other site improvements to increase delivery of recreation services.

RELATIONSHIP TO COMPREHENSIVE PLAN

Chapter 13, Page, 13.6, Goal 2, Objective 2.B: Rehabilitate the current Parks and Recreation Department headquarters building at 301 Grove Street to meet current codes and to serve as a central facilities for classes in the arts and other interests.

PROJECT MANAGER(S)
Andrew Reeder, Parks Services Manager

PROJECT START DATE 07/2010
PROJECT COMPLETION DATE 06/2013

COMPLETION SCHEDULE

Activity	Complete - Quarter
Consultant Engineering	Q1 - Q4 FY 2010 - FY 2012
Construction	Q1 - Q4 FY 2011 - FY 2012

OPERATING BUDGET IMPACT (OVERALL OPERATING EXPENSES & PROJECTED STAFFING REQUIREMENTS):

Current maintenance costs may decrease with improvements to building infrastructure.

FIVE YEAR PROPOSED PROJECT APPROPRIATIONS BY SUB-PROJECT

Sub-Projects	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	Program Period Estimate
Consultant Engineering	0	80,000	120,000	0	0	\$200,000
Construction	0	1,920,000	2,880,000	0	0	\$4,800,000
TOTAL	\$0	\$2,000,000	\$3,000,000	\$0	\$0	\$5,000,000

TOTAL PROJECT COST

TOTAL PRIOR APPROPRIATIONS THROUGH 7/1/09	FY 2011-2015 APPROPRIATIONS	BEYOND FY 2015 APPROPRIATIONS	TOTAL PROJECT APPROPRIATIONS
\$213,840	\$5,000,000	\$0	\$5,213,840

FIVE YEAR PROPOSED PROJECT EXPENDITURE CASH FLOW PROJECTIONS BY SOURCE OF FUNDING

Funding Source	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	Program Period Total
Local: G.O. Bond	0	2,000,000	3,000,000	0	0	\$5,000,000
TOTAL	\$0	\$2,000,000	\$3,000,000	\$0	\$0	\$5,000,000

SOURCES OF PROJECT FUNDING FY 2010 - 2015 (%): LOCAL = 100% STATE = 0% FEDERAL = 0% OTHER = 0%

SERVICE AREA
Parks and Recreation

DEPARTMENT
Parks and Recreation

LOCATION
Miller Center

PROJECT TITLE/PROJECT NUMBER
MILLER CENTER RENOVATIONS

PROJECT TYPE
New

DEPARTMENT PRIORITY

Project has legal or regulatory mandate
Project required to support important but not essential services
Project contributes to generation of new revenue



PROJECT DESCRIPTION

Engineering and design services and construction for general renovations to Miller Center including replacement of the HVAC system and roof, installation of an elevator, improvements to bring the building into compliance with current codes. Includes classroom, office space and neighborhood center renovations.

RELATIONSHIP TO COMPREHENSIVE PLAN

Chapter 13, Page 13.6, Goal 2, Objective 2.B: Rehabilitate the current Parks and Recreation Department headquarters building at 301 Grove Street to meet current codes and to serve as a central facility for classes in the arts and other interests.

PROJECT MANAGER(S)
Andrew Reeder, Parks Services Manager

PROJECT START DATE 07/2008
PROJECT COMPLETION DATE 06/2011

COMPLETION SCHEDULE

Activity	Complete - Quarter
City Engineering Service Charges	Q1 - Q4 FY 2009 - FY 2011
Architectural Services (Contractual)	Q1 - Q4 FY 2009 - FY 2011
Consultant Engineering	Q1 - Q4 FY 2009 - FY 2011
Contact Administration (Contractual)	Q1 - Q4 FY 2010 - FY 2011
Construction	Q1 - Q4 FY 2010 - FY 2011
Miscellaneous	Q1 - Q4 FY 2009 - FY 2011

OPERATING BUDGET IMPACT (OVERALL OPERATING EXPENSES & PROJECTED STAFFING REQUIREMENTS):

Current Maintenance costs may decrease with improvements to building infrastructure.

FIVE YEAR PROPOSED PROJECT APPROPRIATION BY SUB-PROJECT

Sub-Projects	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Program Period Estimate
City Engineering Service Charges	2,160	2,320	2,480	0	0	\$6,960
Architectural Services (Contractual)	84,240	22,040	12,400	0	0	\$118,680
Consultant Engineering	91,800	0	0	0	0	\$91,800
Contact Administration (Contractual)	0	52,200	48,360	0	0	\$100,560
Construction	0	2,061,320	1,016,056	0	0	\$3,077,376
Contingency	23,760	160,080	148,800	0	0	\$332,640
Miscellaneous	14,040	22,040	11,904	0	0	\$47,984
TOTAL	\$216,000	\$2,320,000	\$1,240,000	\$0	\$0	\$3,776,000

FIVE YEAR PROPOSED PROJECT EXPENDITURE CASH FLOW PROJECTIONS BY SOURCE OF FUNDING

Funding Source	FY 2009	FY 2010	FY 2011	FY 2012	FY 2013	Program Period Total
Local: General Fund Engineering Service Charges	2,160	2,320	2,480	0	0	\$6,960
Local: G.O. Bond	213,840	2,317,680	1,237,520	0	0	\$3,769,040
TOTAL	\$216,000	\$2,320,000	\$1,240,000	\$0	\$0	\$3,776,000

SOURCES OF PROJECT FUNDING FY 2009 - 2013 (%): LOCAL = 100% STATE = 0% FEDERAL = 0% OTHER = 0%

TOTAL PRIOR FUNDING THROUGH 8/31/07	FY 2009-2013 CASH FLOW	BEYOND FY 2013 CASH FLOW	TOTAL PROJECT CASH FLOW
\$0	\$3,776,000	\$0	\$3,776,000

RENOVATIONS TO MILLER CENTER LYNCHBURG, VIRGINIA

DESIGN DEVELOPMENT
OWNER REVIEW SET
OCTOBER 20, 2010

H&A
HANKINS & ANDERSON
4006 GOLF COLUMBUS STREET
SUITE 100
VIRGINIA BEACH, VIRGINIA 23462
P - 757.222.2010
F - 757.222.2022

BRIGGS & BRIGGS
1000 DODGE DRIVE, SUITE 100
VIRGINIA BEACH, VIRGINIA 23461
P - (757) 417-0888
F - (757) 417-0888

NEWMAN-ANDERSON
825A GREENBERRY LUNCHE
CHESAPEAKE, VIRGINIA 23320
P - (757) 424-3366
F - (757) 424-1940

MURRY & PROFFERT
2024 LARGESIDE ROAD
LYNCHBURG, VIRGINIA 24501
P - (434) 847-7788
F - (434) 847-0007

RAJLER & VENTURA
ARCHITECTS, P.C.
100 W. 3RD STREET
RICHMOND, VIRGINIA 23225
P - (804) 231-6288
F - (804) 231-6288

ALBEMARCHE POLICE FIRE/AMBULANCE
308 WEST 10TH STREET
10TH FLOOR
NEW YORK, N.Y. 10019
P - (212) 794-8820
F - (212) 794-8822

ANDREWS
30 MOUNTAIN STREET
CAMBRIDGE, MA 02139
P - (617) 489-8000
F - (617) 489-8074

DESIGN
DEVELOPMENT
OWNER
REVIEW SET

DATE OCTOBER 20, 2010
REVISIONS
1 DATE

RENOVATIONS
TO
**MILLER
CENTER**
LYNCHBURG, VIRGINIA

CITY OF
LYNCHBURG
DEPARTMENT
OF PARKS AND
RECREATION

301 GROVE STREET
LYNCHBURG, VIRGINIA 24501

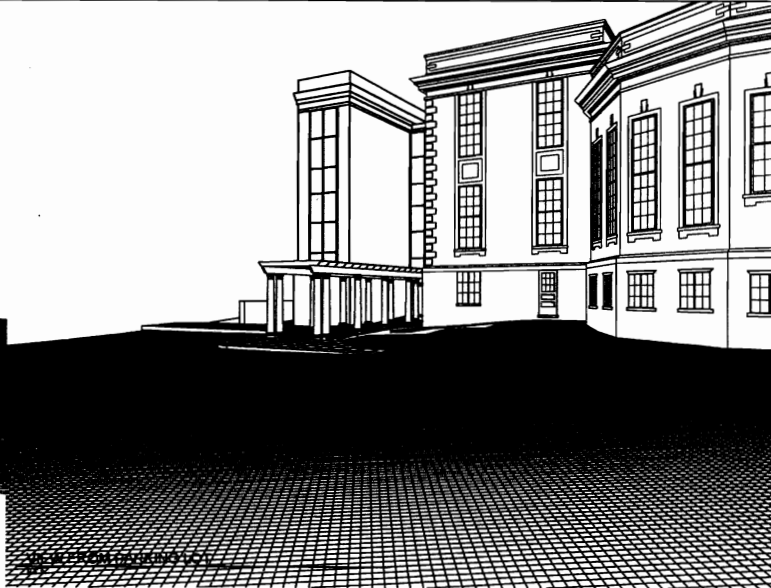
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G101

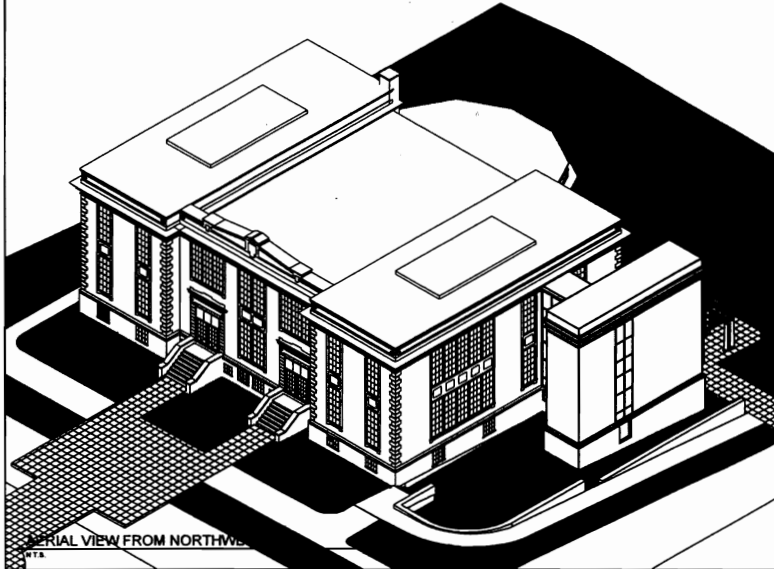
PROJECT NO. 000201.00.001



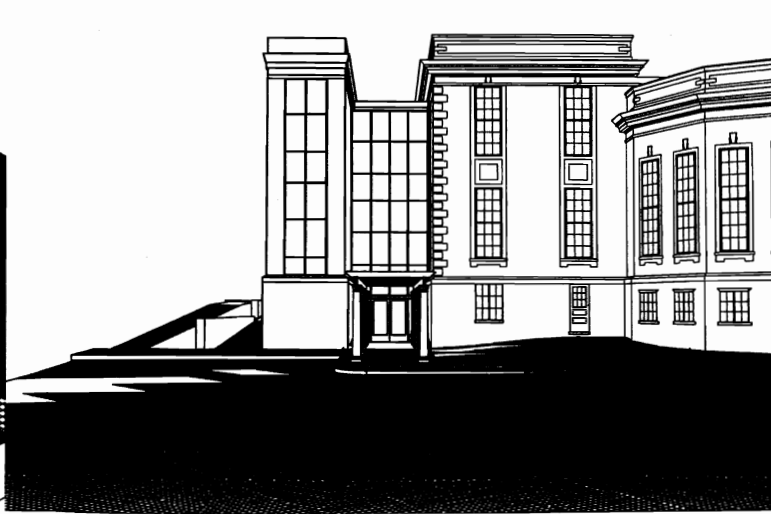
VIEW FROM SOUTHWEST
NTS



VIEW FROM SOUTHEAST
NTS



AERIAL VIEW FROM NORTHWEST
NTS



CLOSE-UP OF SOUTH ENTRANCE
NTS

H&A
HARRIS & ANDERSON
4606 COLUMBUS STREET
SUITE 100
VIRGINIA BEACH, VIRGINIA 23462
P - (757) 322-3940
F - (757) 322-3922

WILLIAM PRATT CARROLL, P.E.
1630 DOBSON DRIVE, SUITE 100
VIRGINIA BEACH, VIRGINIA 23461
P - (757) 417-0888
F - (757) 417-0888

ROBERTA J. JENNINGS
1515A GREENBANK CIRCLE
CHESAPEAKE, VIRGINIA 23020
P - (757) 420-3360
F - (757) 424-1940

HENRY A. PROFFITT
2524 LANDSHORE ROAD
LYNCHBURG, VIRGINIA 24001
P - (434) 847-7788
F - (434) 847-0947

BAULLEN & WESTERHOF
804 W. 23RD STREET
LYNCHBURG, VIRGINIA 23205
P - (800) 231-2288
F - (800) 231-2288

ARMSTRONG POLLOCK FRIEDLANDER
308 WEST 27TH STREET
NEW YORK, N.Y. 10018
P - (212) 784-6820
F - (212) 784-6820

ACQUEDRONE
33 MONLTON STREET
CAMBRIDGE, MA 02138
P - (617) 488-8820
F - (617) 488-8874

DESIGN
DEVELOPMENT
OWNER
REVIEW SET

DATE OCTOBER 30, 2016
REVISIONS
P N/A

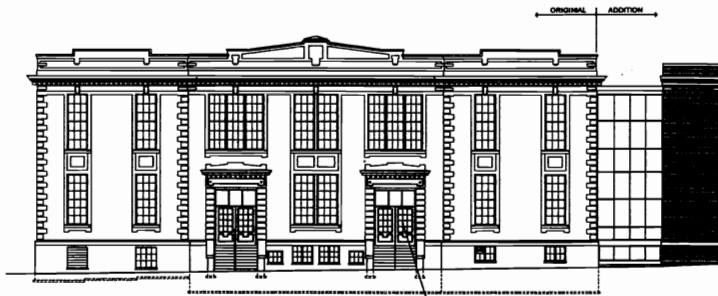
RENOVATIONS
TO
**MILLER
CENTER**
LYNCHBURG, VIRGINIA

CITY OF
LYNCHBURG
DEPARTMENT OF
PARKS AND
RECREATION
101 GROVE STREET
LYNCHBURG, VIRGINIA 24001

PERSPECTIVE
VIEWS

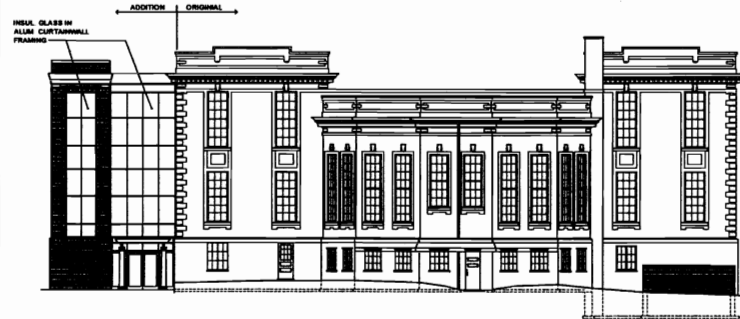
G201

PROJECT NO. 000307.00.001



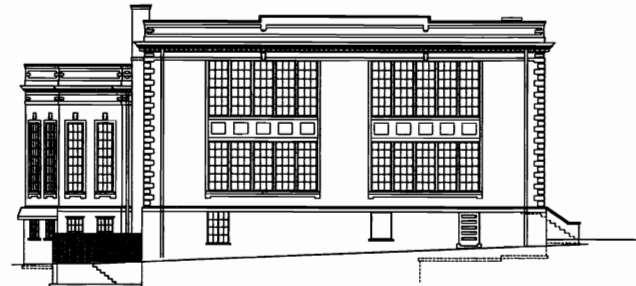
NORTH ELEVATION

1/8" = 1'-0"



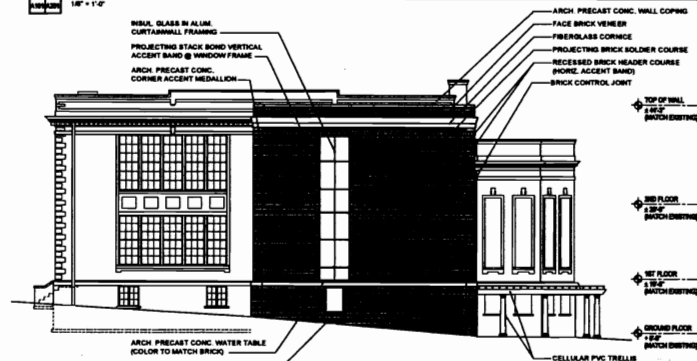
SOUTH ELEVATION

1/8" = 1'-0"



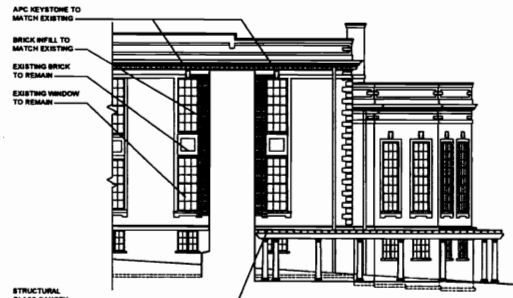
WEST ELEVATION

1/8" = 1'-0"



EAST ELEVATION

1/8" = 1'-0"



PARTIAL EAST ELEVATION

1/8" = 1'-0"

4855 COLUMBUS STREET
SUITE 100
LYNCHBURG, VIRGINIA 23462
P: (757) 222-2510
F: (757) 222-2522

SHENLAND PHOTO DESIGN, P.C.
1630 DOWNS DRIVE, SUITE 103
LYNCHBURG, VIRGINIA 23461
P: (757) 417-0545
F: (757) 417-0545

WYOMAN-ANDERSON
2324 GREENHURST CIRCLE
CHESAPEAKE, VIRGINIA 23030
P: (757) 426-2986
F: (757) 426-1945

MURRY & PROPERTY
2524 LAMARSHORE ROAD
LYNCHBURG, VIRGINIA 23401
P: (424) 847-7796
F: (424) 847-6547

SABLIN & WESTERHARD
ARCHITECTS, P.C.
104 W. 3RD STREET
RICHMOND, VIRGINIA 23225
P: (804) 231-4298
F: (804) 231-4298

ATHEMARCH PELLERIN FRIEDLANDER
288 WEST 37TH STREET
NEW YORK, N.Y. 10018
P: (212) 764-4500
F: (212) 764-4522

ACCOMMODATION
30 MOUNTAIN STREET
CAMBRIDGE, MA 02138
P: (617) 489-2000
F: (617) 489-2074

**DESIGN
DEVELOPMENT
OWNER
REVIEW SET**

DATE: OCTOBER 28, 2015
REVISIONS:
1 DATE

**RENOVATIONS
TO
MILLER
CENTER**
LYNCHBURG, VIRGINIA

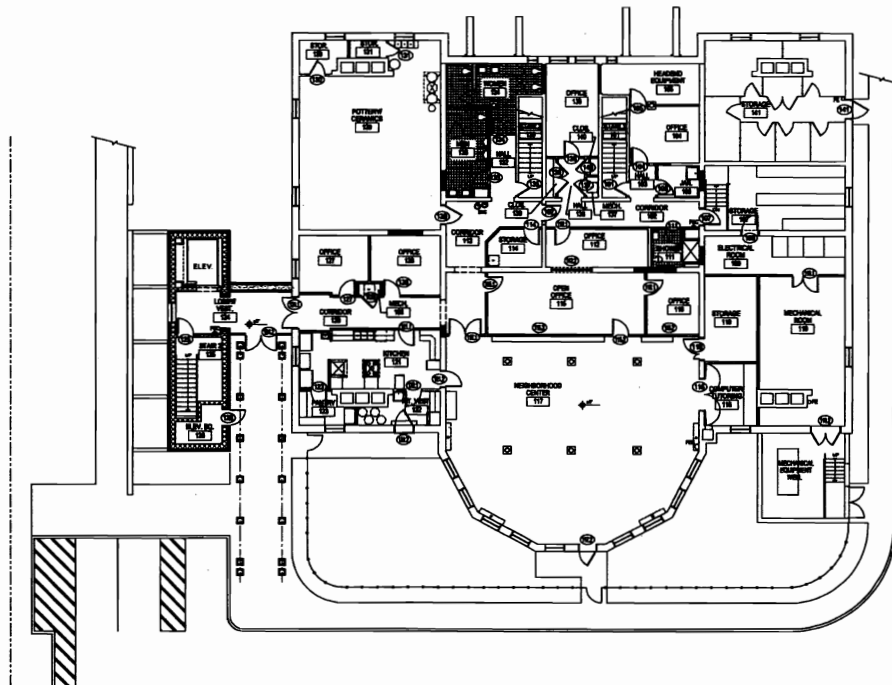
**CITY OF
LYNCHBURG
DEPARTMENT OF PARKS AND
RECREATION**

301 GROVE STREET
LYNCHBURG, VIRGINIA 23401

**EXTERIOR
ELEVATIONS**

A201

PROJECT NO. 00001.00.001



FIRST FLOOR PLAN
1/8" = 1'-0"

FIRST FLOOR OFFICE LEGEND	
ROOM NUMBER	DESIGNATION
104	IT ANALYST
112	SENIOR RECREATION SPECIALIST
115	PART-TIME RECREATION SPECIALISTS
116	PART-TIME RECREATION SPECIALIST
117	RECREATION SUPERVISOR
118	RECREATION SUPERVISOR
119	RECREATION SUPERVISOR
120	RECREATION SERVICES MANAGER

4005 COLUMBUS STREET
SUITE 100
VIRGINIA BEACH, VIRGINIA 23462
P - (757) 233-3000
F - (757) 233-3002

WICKLIFFE PRIVATE CHAIRMAN, P.C.
1620 DORRIS DRIVE, SUITE 100
VIRGINIA BEACH, VIRGINIA 23461
P - (757) 417-0866
F - (757) 417-0868

WICKLIFFE ASSOCIATES
2224 GREENBRIER CIRCLE
CHESAPEAKE, VIRGINIA 23320
P - (757) 434-3865
F - (757) 434-1840

WISSE & PROFFERT
2024 LAMORSHORE ROAD
LYNCHBURG, VIRGINIA 24501
P - (804) 847-7766
F - (804) 847-0017

WILSON & WINTERBORN
ARCHITECTS, P.C.
804 W. 32ND STREET
RICHMOND, VIRGINIA 23225
P - (804) 231-6288
F - (804) 231-6288

WILSON & WINTERBORN
ARCHITECTS, P.C.
804 W. 32ND STREET
RICHMOND, VIRGINIA 23225
P - (804) 231-6288
F - (804) 231-6288

WILSON & WINTERBORN
ARCHITECTS, P.C.
804 W. 32ND STREET
RICHMOND, VIRGINIA 23225
P - (804) 231-6288
F - (804) 231-6288

WILSON & WINTERBORN
ARCHITECTS, P.C.
804 W. 32ND STREET
RICHMOND, VIRGINIA 23225
P - (804) 231-6288
F - (804) 231-6288

**DESIGN
DEVELOPMENT
OWNER
REVIEW SET**

DATE: OCTOBER 20, 2016
REVISIONS:
1 - NONE

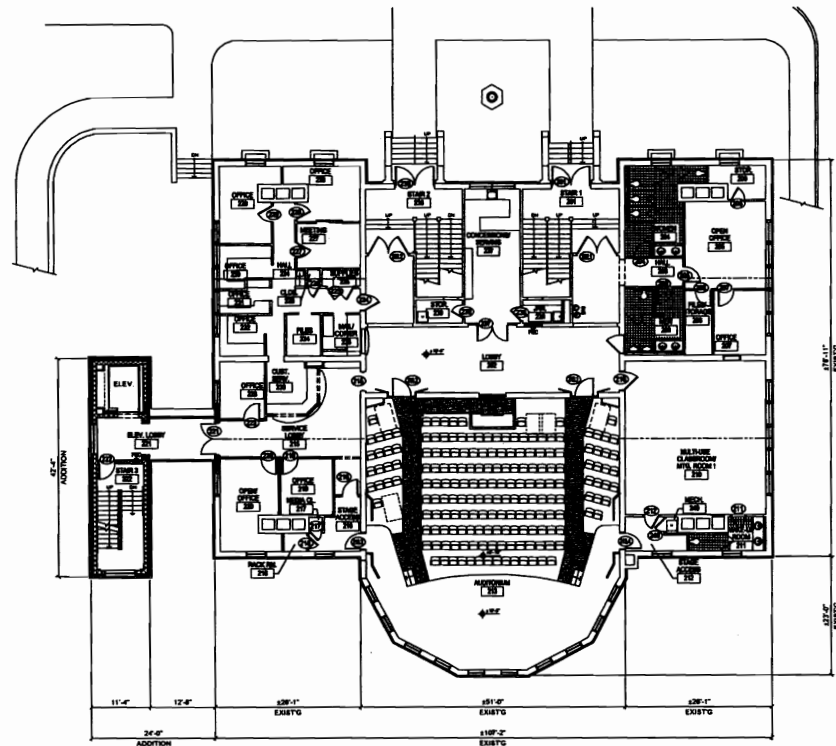
**RENOVATIONS
TO
MILLER
CENTER**
LYNCHBURG, VIRGINIA

**CITY OF
LYNCHBURG
DEPARTMENT OF PARKS AND
RECREATION**
301 GROVE STREET
LYNCHBURG, VIRGINIA 24501

**FIRST
FLOOR PLAN -
NEW WORK**

A101

PROJECT NO. 000201 AS.201



SECOND FLOOR PLAN
18" = 1'-0"

SECOND FLOOR OFFICE LEGEND	
ROOM NUMBER	DESCRIPTION
206	ATHLETICS
207	ATHLETICS COORDINATOR
219	SPECIAL EVENTS COORDINATOR
220	BUSINESS SERVICES
222	VOLUNTEER COORDINATOR
228	BUSINESS SERVICES MANAGER
229	SUPPORT SERVICES SUPERVISOR
230	FULL-TIME ADMIN.
231	INTERN
232	FULL-TIME ADMIN.

4008 COLUMBUS STREET
SUITE 100
LYNCHBURG, VIRGINIA 23402
P: (757) 222-3019
F: (757) 222-3022

BRIDGEMAN PRINCE ENGINEERS, P.C.
1501 CORONA DRIVE, SUITE 100
LYNCHBURG, VIRGINIA 23401
P: (757) 417-0868
F: (757) 417-0888

NEEDHAM-ANDERSON
1001 CHESTERMAN CIRCLE
CHESTERFIELD, VIRGINIA 23030
P: (757) 426-3888
F: (757) 426-1940

HEERY & PROFFITT
200 LAMARSH ROAD
LYNCHBURG, VIRGINIA 23401
P: (804) 847-1790
F: (804) 847-0047

BAILEY & WHITFIELD
ARCHITECTS, P.C.
804 W. 23RD STREET
RICHMOND, VIRGINIA 23226
P: (804) 231-6388
F: (804) 231-6388

ARMSTRONG POLLOCK FREEDLANDER
500 WEST 37TH STREET
18TH FLOOR
NEW YORK, N.Y. 10018
P: (212) 764-9830
F: (212) 764-9832

ARMSTRONG
20 WOLSTON STREET
CAMBRIDGE, MA 02138
P: (617) 489-8000
F: (617) 489-8074

DESIGN
DEVELOPMENT
OWNER
REVIEW SET

DATE: OCTOBER 20, 1978
REVISIONS:
DATE

RENOVATIONS
TO
**MILLER
CENTER**
LYNCHBURG, VIRGINIA

CITY OF
LYNCHBURG
DEPARTMENT
OF PARKS AND
RECREATION

301 GROVE STREET
LYNCHBURG, VIRGINIA 23401

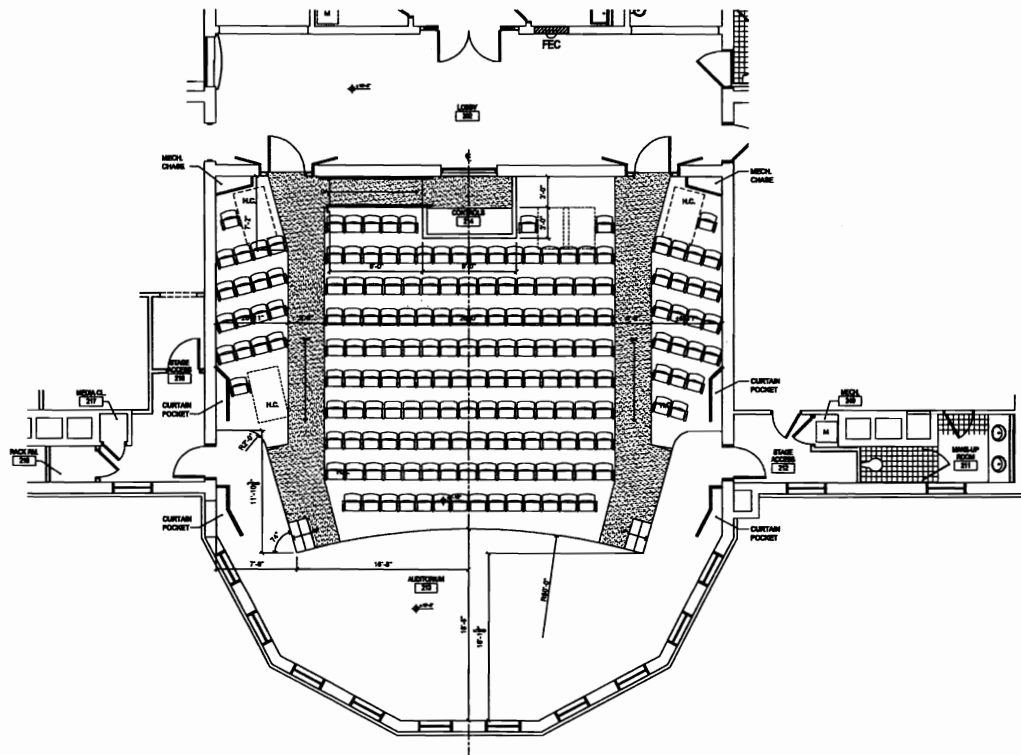
SECOND
FLOOR PLAN -
NEW WORK

A102

PROJECT NO. 00391.00.001

PROJECT NO. 606201-00-007





ENLARGED PLAN AT AUDITORIUM

1/4" = 1'-0"

4000 COLLINS STREET
SUITE 100
VIRGINIA BEACH, VIRGINIA 23462
P: (757) 223-2010
F: (757) 223-3022

SHILLAR PRATT GARDNER, P.E.
1800 DORRA DRIVE, SUITE 100
VIRGINIA BEACH, VIRGINIA 23461
P: (757) 417-0868
F: (757) 417-0868

VICTORIAN-ANDERSON
1504 GREENBRIER CIRCLE
CHESAPEAKE, VIRGINIA 23320
P: (757) 520-3888
F: (757) 426-1940

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CAMBRIDGE, MA 02136
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DESIGN DEVELOPMENT OWNER REVIEW SET

DATE: OCTOBER 20, 2011

REVISIONS

DATE

RENOVATIONS TO MILLER CENTER LYNCHBURG, VIRGINIA

CITY OF
LYNCHBURG
DEPARTMENT OF
PARKS AND
RECREATION
301 BROAD STREET
LYNCHBURG, VIRGINIA 24501

ENLARGED
PLAN AT
AUDITORIUM

A121

PROJECT NO. 000001.00.001

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 11, 2011**

AGENDA ITEM NO.: 2

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: Proposed Policy Regarding the Use of Low Pressure Sanitary Sewer Systems in
New Developments

RECOMMENDATION: Adopt a resolution approving the attached policy regarding the use of low pressure sanitary sewer systems.

SUMMARY: Low pressure sewer systems (LPSS) have come into increasing use. These systems can have lower installation costs for the developer, but they have higher operating costs for the property owner. The City currently has no guidance addressing this subject. The Physical Development Committee discussed the use of LPSS in new residential development at their December meeting and directed staff to develop a proposed policy for City Council consideration and adoption.

PRIOR ACTION(S): December 14, 2010 discussion at PDC.

FISCAL IMPACT: There is minimal difference between LPSS and gravity operating costs to the City. The capital cost impacts are primarily on the developer, with the long term operating cost affecting the property owner.

CONTACT(S):

James Talian, Utilities Engineer, 455-3953

Greg Poff, Assistant Director of Utilities, 455-4249

Tim Mitchell, Director of Utilities, 455-4252

ATTACHMENT(S): Resolution
Proposed Low Pressure Sanitary Sewer System Policy for New Development
January 11, 2011

REVIEWED BY: bms

RESOLUTION:

BE IT RESOLVED that City Council adopts the policy entitled "Low Pressure Sanitary Sewer Policy for New Development" dated January 11, 2011.

Adopted:

Certified:

Interim Clerk of Council

001L

Proposed Policy
Low Pressure Sanitary Sewer Policy for New Development
January 11, 2011

I. Guiding Principles for Sewer Policies

1. To improve the water quality in the City's streams and river.
2. To lessen environmental and neighborhood impacts.
3. To minimize the impacts of new development and new sanitary sewer customers on current rate payers.
4. To make technical and economic decisions based on life cycle cost analyses for all stakeholders.
5. To promote the reasonable development of unused land in the city.
6. To recognize that there are inherent benefits to the common good when the operation of a community system is shared by all.

II. Low Pressure Sanitary Sewer Policies

Permitted Alternative Sewer Systems

1. Gravity sanitary sewer collection systems are preferred by the City of Lynchburg.
2. The only alternative public system accepted by the City of Lynchburg is a low pressure sewer system (LPSS). Septic tanks are permitted as prescribed in the Subdivision Ordinance.

Conditions Allowing Low Pressure Sewers

1. Where a developer wants to use LPSS, the developer must conduct and submit to the Department of Utilities an engineering economic analysis comparing the life cycle costs of the gravity and pressure alternatives and a mixed hybrid system, if appropriate.
2. The economic analysis shall consider the costs to all stakeholders, including at least the developer, the homeowner, and the city.
3. The economic analysis can be based on either detailed engineering estimates or broad general parameters.
 - a. If broad parameters are used, unit cost values specified by the Utilities Department shall be used along with a specific alignment for both the gravity and pressure.
 - b. In all cases the economic analysis shall be for 50 years and use an annual discount rate of 5%.
4. The LPSS must not inhibit the reasonable expansion of the gravity system as determined by the Director of Utilities.
 - a. If the presence of an LPSS will impact potential gravity sewer service to either upstream or downstream development, the economic analysis shall include the affected properties.

Requirements of Low Pressure Sewer Systems

1. All pumps shall be individually owned and maintained by the property owner.
2. Each pump shall serve only one property.
3. The City will have no involvement with the maintenance of pumps serving individual properties.
4. Any development proposed to be served by a LPSS shall have recorded covenants or deed restrictions explaining the responsibilities of the property owners and that the City will have no responsibility for the operation or maintenance of components located on private property.
5. Pressure sewer lines from individual properties shall be owned and maintained by the property owner from the pump station to a point of demarcation immediately prior to the line's discharge into either a public gravity line or a public force main. This point

of demarcation will be located at the edge of the City easement or the edge of the right-of-way.

6. Public force mains serving more than one property shall be installed by the developer but will be owned and maintained by the City.
7. The preferred location for public force mains shall be in the public right-of-way or, alternately, in a public easement.
8. As with gravity systems, all pressure systems must be designed according to the Manual of Specifications and Standard Details.

January 11, 2011

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: January 11, 2011

AGENDA ITEM NO.: 3

CONSENT:

REGULAR:

WORK SESSION: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: 2011 Citizen Survey

RECOMMENDATION: Provide guidance to staff regarding whether or not to conduct a 2011 Citizens Survey.

SUMMARY: Following the November 2010 presentation regarding the outcomes of the citizen engagement sessions on the budget, City Council expressed some interest in conducting another Citizen Survey as a more statistically valid way of determining citizen opinion. Since 2004, the City has worked with the ICMA-endorsed National Research Center (NRC) to conduct a citizen survey every two years with the last survey being conducted in 2008. The cost to conduct another Citizen Survey, including demographic and geographic crosstabs as well as the inclusion of one open-ended question is \$13,400. Should City Council wish to proceed with a 2011 Citizens Survey, the cost could be funded from existing marketing funds in the Department of Communications and Marketing's budget.

PRIOR ACTION(S): Citizen Surveys conducted in 2004, 2006, 2008.

FISCAL IMPACT: \$13,400 (funds available in the Department of Communications and Marketing budget for marketing)

CONTACT(S): JoAnn Martin – Director, Communications and Marketing, 455-3801
Bonnie Svrcek - Deputy City Manager, 455-3987

ATTACHMENT(S):

Recommended Timeline for 2011 Citizen Survey
Excerpt from 2008 Citizen Survey Results (entire copy of results available at
<http://www.lynchburgva.gov/Index.aspx?page=2321>)

REVIEWED BY: bms

Timeline for The National Citizen Survey™

Legend:

← Indicates when items from NRC are due to you → Indicates when items from you are due to NRC ⊙ Indicates information items

Item	Date
Preparing for the Survey	
⊙ The NCS survey process is initiated upon receipt of your enrollment form and first payment	Apr 22
← NRC emails you The NCS worksheets to customize The NCS	Apr 22
→ Due to NRC: Selection of add-on options and basic contact worksheets	May 6
→ Due to NRC: Drafts of the three optional custom questions to be included in the survey	May 6
→ Due to NRC: Information to customize The NCS survey	May 13
→ Due to NRC: Zip code/sampling worksheet	May 13
→ Due to NRC: Area Boundary files for geographic comparison areas (if the geographic crosstabulations add-on is selected)	May 13
→ Due to NRC: Additional payment for add-on options	May 20
⊙ NRC finalizes the survey instrument and mailing materials	May 27
⊙ NRC generates the sample of households in your jurisdiction	May 20 to May 27
← NRC provides confirmation documents about options selected by your jurisdiction and a .Pdf sample of the postcard and mailing envelope for your records.	May 20
⊙ NRC prints materials and prepares mailings	May 27
→ Due to NRC: Selection of demographic crosstabulation variables (if demographic crosstabulations add-on selected)	May 27
→ Due to NRC: Selection of custom benchmark profile(s) (if custom benchmark add-on selected)	May 27
Conducting the survey	
⊙ Survey materials are mailed	Jun 3 to Jun 17
⊙ Prenotification postcards sent	Jun 3
⊙ 1st wave of surveys sent	Jun 10
⊙ 2nd wave of surveys sent	Jun 17
⊙ Data collection: surveys received and processed for your jurisdiction	Jun 10 to Jul 8
⊙ During this time, you will receive postcards that were undeliverable due to bad addresses, or vacant housing units. This is normal. Please count all the postcards, as we will subtract the number of returned postcards from the total number mailed to estimate the number of "eligible" households in calculating the final response rate.	
→ Due to NRC: Final count of returned postcards	Jul 8
⊙ Survey analysis and report writing	Jul 8 to Jul 22
⊙ During this time, NRC will process the surveys, perform the data analysis, and produce a draft report for your jurisdiction. The report of results will contain a description of the methodology, information on understanding the results, and graphs and tables of your results, as well as a description of NRC's database of normative data from across the U.S. and actual comparisons to your results, where appropriate.	
← NRC emails draft report (in PDF format) to you	Jul 29
← NRC sends invoice for balance due on The NCS Basic Service and any additional add-on options	Jul 29
→ Due to NRC: Jurisdiction feedback on the draft report (most final reports are identical to the draft reports, except being labeled as final instead of draft)	Aug 5
← NRC mails final report and data file to you (unless otherwise specified)	Aug 12

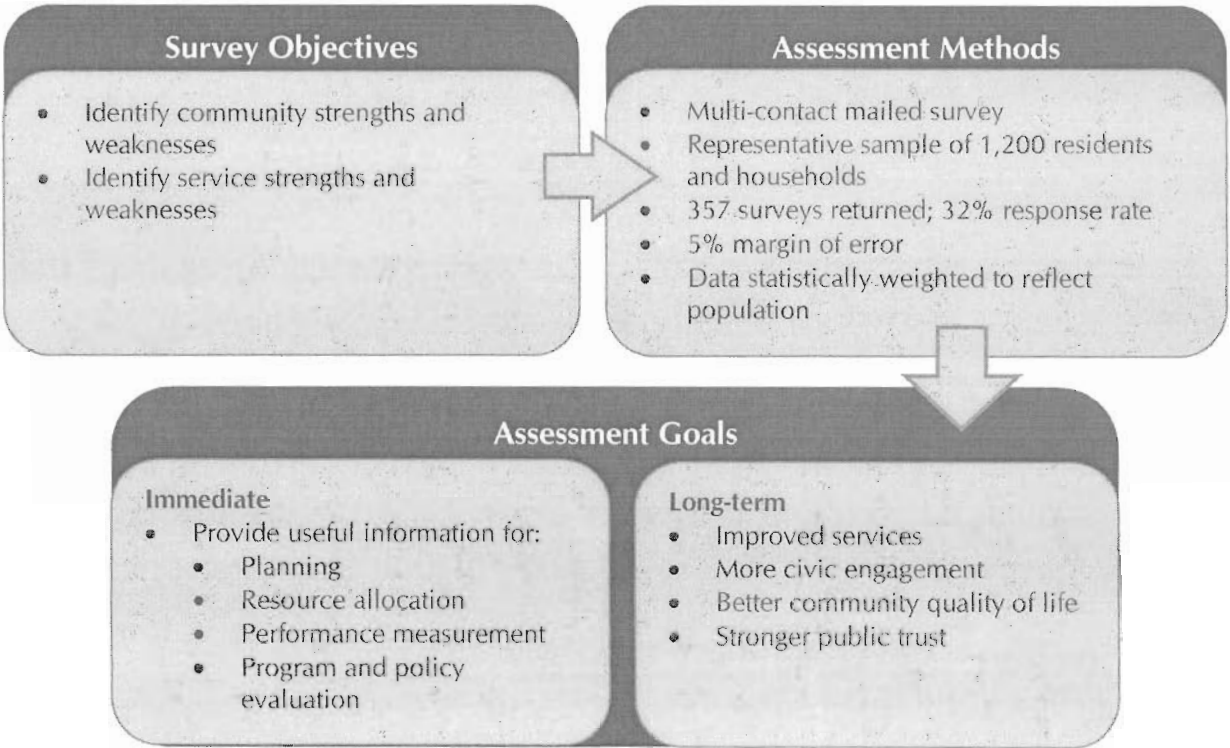
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SURVEY BACKGROUND
ABOUT THE NATIONAL CITIZEN SURVEY™

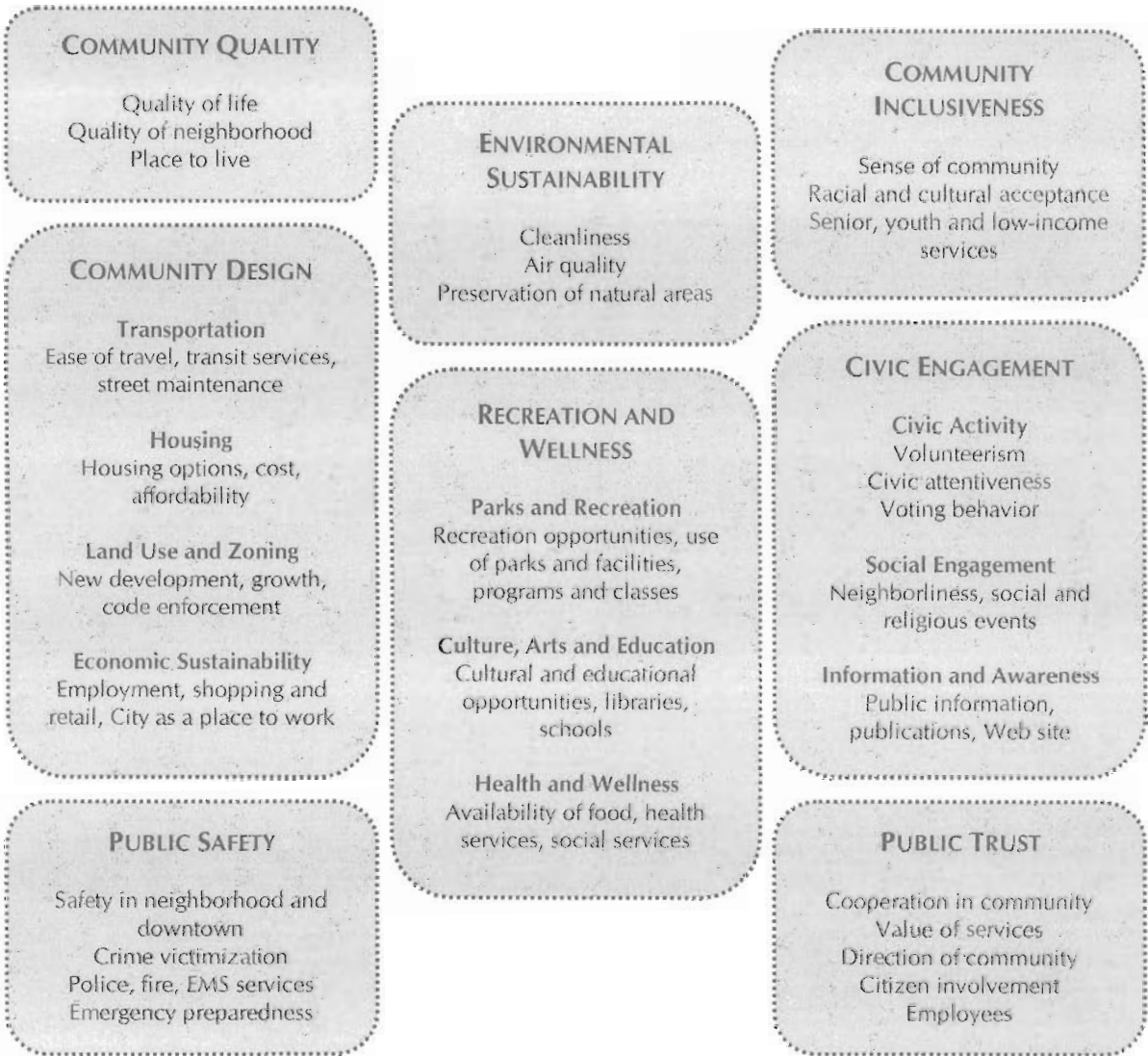
The National Citizen Survey™ (The NCS) is a collaborative effort between National Research Center, Inc. (NRC) and the International City/County Management Association (ICMA). The NCS was developed by NRC to provide a statistically valid survey of resident opinions about community and services provided by local government. The survey results may be used by staff, elected officials and other stakeholders for community planning and resource allocation, program improvement and policy making.

FIGURE 1: THE NATIONAL CITIZEN SURVEY™ METHODS AND GOALS



The NCS focuses on a series of community characteristics and local government services, as well as issues of public trust. Resident behaviors related to civic engagement in the community also were measured in the survey.

FIGURE 2: THE NATIONAL CITIZEN SURVEY™ FOCUS AREAS



The survey and its administration are standardized to assure high quality research methods and directly comparable results across The National Citizen Survey™ jurisdictions. Participating households are selected at random and the household member who responds is selected without bias. Multiple mailings give each household more than one chance to participate with self-addressed and postage-paid envelopes. Results are statistically weighted to reflect the proper demographic composition of the entire community. A total of 357 completed surveys were obtained, providing an overall response rate of 32%. Typically, response rates obtained on citizen surveys range from 25% to 40%.

The National Citizen Survey™ customized for the City of Lynchburg was developed in close cooperation with local jurisdiction staff. Lynchburg staff selected items from a menu of questions about services and community problems and provided the appropriate letterhead and signatures for mailings. City of Lynchburg staff also augmented The National Citizen Survey™ basic service through a variety of options including: a custom set of benchmark comparisons, demographic and geographic crosstabulation of results and an open-ended question.

UNDERSTANDING THE RESULTS

As shown in Figure 2, this report is based around respondents' reports about eight larger categories: community quality, community design, public safety, environmental sustainability, recreation and wellness, community inclusiveness, civic engagement and public trust. Each section begins with residents' ratings of community characteristics and is followed by residents' ratings of service quality. For all evaluative questions, the percent of residents rating the service or community feature as "excellent" or "good" is presented. To see the full set of responses for each question on the survey, please see Appendix A: Complete Survey Frequencies.

Margin of Error

It is customary to describe the precision of estimates made from surveys by a "level of confidence" (or margin of error). The 95% confidence interval quantifies the sampling error or precision of the estimates made from the survey results. A 95% confidence interval can be calculated for any question and indicates that for every 100 random samples of this many residents, the population response to that question would be within the stated interval 95 times. The 95% confidence level for the City of Lynchburg survey is generally no greater than plus or minus five percentage points around any given percent reported for the entire sample (357 completed surveys).

Comparing Survey Results

Certain kinds of services tend to be thought better of by residents in many communities across the country. For example, public safety services tend to be received better than transportation services by residents of most American communities. Where possible, the better comparison is not from one service to another in the City of Lynchburg, but from City of Lynchburg services to services like them provided by other jurisdictions.

Interpreting Comparisons to Previous Years

This report contains comparisons with prior years' results. In this report, we are comparing this year's data with existing data in the graphs. Differences between years can be considered "statistically significant" if they are greater than six percentage points. Trend data for your jurisdiction represent important comparison data and should be examined for improvements or declines. Deviations from stable trends over time, especially represent opportunities for understanding how local policies, programs or public information may have affected residents' opinions.

Benchmark Comparisons

NRC's database of comparative resident opinion is comprised of resident perspectives gathered in citizen surveys from approximately 500 jurisdictions whose residents evaluated local government services and gave their opinion about the quality of community life. The City of Lynchburg chose to have comparisons made to the entire database and a subset of similar jurisdictions from the database (jurisdictions in the Southern Region). A benchmark comparison (the average rating from all the comparison jurisdictions where a similar question was asked) has been provided when a similar question on the City of Lynchburg Survey was included in NRC's database and there were at least five jurisdictions in which the question was asked. For most questions compared to the entire dataset, there were more than 100 jurisdictions included in the benchmark comparison.

Where comparisons were available, the City of Lynchburg results were noted as being "above" the benchmark, "below" the benchmark or "similar to" the benchmark. This evaluation of "above,"

“below” or “similar to” comes from a statistical comparison of the City of Lynchburg's rating to the benchmark.

“Don’t Know” Responses and Rounding

On many of the questions in the survey respondents may answer “don’t know.” The proportion of respondents giving this reply is shown in the full set of responses included in Appendix A. However, these responses have been removed from the analyses presented in the body of the report. In other words, the tables and graphs display the responses from respondents who had an opinion about a specific item.

For some questions, respondents were permitted to select more than one answer. When the total exceeds 100% in a table for a multiple response question, it is because some respondents did select more than one response. When a table for a question that only permitted a single response does not total to exactly 100%, it is due to the customary practice of percentages being rounded to the nearest whole number.

For more information on understanding The NCS report, please see Appendix B: Survey Methodology.

Not Final Report

EXECUTIVE SUMMARY

This report of the City of Lynchburg survey provides the opinions of a representative sample of residents about community quality of life, service delivery, civic participation and unique issues of local interest. A periodic sounding of resident opinion offers staff, elected officials and other stakeholders an opportunity to identify challenges and to plan for and evaluate improvements and to sustain services and amenities for long-term success.

Most residents experience a good quality of life in the City of Lynchburg and believe the City is a good place to live. The overall quality of life in the City of Lynchburg was rated as “excellent” or “good” by 73% of respondents. A majority report they plan on staying in the City of Lynchburg for the next five years.

A variety of characteristics of the community were evaluated by those participating in the study. The three receiving the most favorable ratings were opportunities to participate in religious or spiritual events or activities, opportunities to volunteer and educational opportunities. The three characteristics receiving the least positive ratings were ease of rail or subway travel, ease of bicycle travel, and amount of public parking.

All of the community characteristics rated were able to be compared to the benchmark database. Of the 32 characteristics for which comparisons were available, 11 were above the benchmark comparison, 13 were similar to the benchmark comparison and eight were below.

Residents in the City of Lynchburg were somewhat civically engaged. While only 27% had attended a meeting of local elected public officials or other local public meeting in the previous 12 months, 93% had provided help to a friend or neighbor. More than half had volunteered their time to some group or activity in the City of Lynchburg.

In general, survey respondents demonstrated mild trust in local government. About half rated the overall direction being taken by the City of Lynchburg as “good” or “excellent.” This was lower than the benchmark. Those residents who had interacted with an employee of the City of Lynchburg in the previous 12 months gave high marks to those employees. Most rated their overall impression as excellent or good.

All of the City services rated were able to be compared to the benchmark database. Of the 37 services for which comparisons were available, four were above the benchmark comparison, 15 were similar to the benchmark comparison and 18 were below.

A Key Driver Analysis was conducted for the City of Lynchburg which examined the relationships between ratings of each service and ratings of the City of Lynchburg's services overall. Those key driver services that correlated most strongly with residents' perceptions about overall City service quality have been identified. By targeting improvements in key services, the City of Lynchburg can focus on the services that have the greatest likelihood of influencing residents' opinions about overall service quality. Services found to be influential in ratings of overall service quality from the Key Driver Analysis were:

- Public information services
- Economic development
- Public schools
- Drinking water
- City parks

Of these services, those deserving the most attention may be those that were below the benchmark comparisons: economic development and city parks. Public schools, drinking and drinking water were similar to the benchmark comparisons. For public information services, the City of Lynchburg is above the benchmark and should continue to ensure high quality performance.

COMMUNITY RATINGS
OVERALL COMMUNITY QUALITY

Overall quality of community life may be the single best indicator of success in providing the natural ambience, services and amenities that make for an attractive community. The National Citizen Survey™ contained many questions related to quality of community life in the City of Lynchburg – not only direct questions about quality of life overall and in neighborhoods, but questions to measure residents’ commitment to the City of Lynchburg. Residents were asked whether they planned to move soon or if they would recommend the City of Lynchburg to others. Intentions to stay and willingness to make recommendations provide evidence that the City of Lynchburg offers services and amenities that work.

Most of the City of Lynchburg’s residents gave favorable ratings to their neighborhoods and the community as a place to live. Further, a majority reported they would recommend the community to others and plan to stay for the next five years.

FIGURE 3: RATINGS OF OVERALL COMMUNITY QUALITY BY YEAR

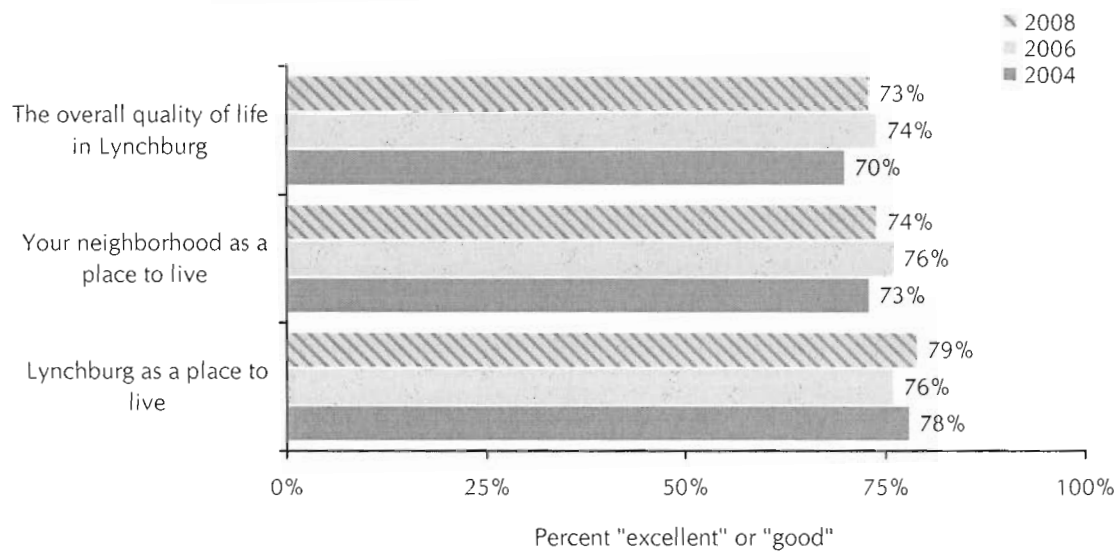


FIGURE 4: LIKELIHOOD OF REMAINING IN COMMUNITY AND RECOMMENDING COMMUNITY

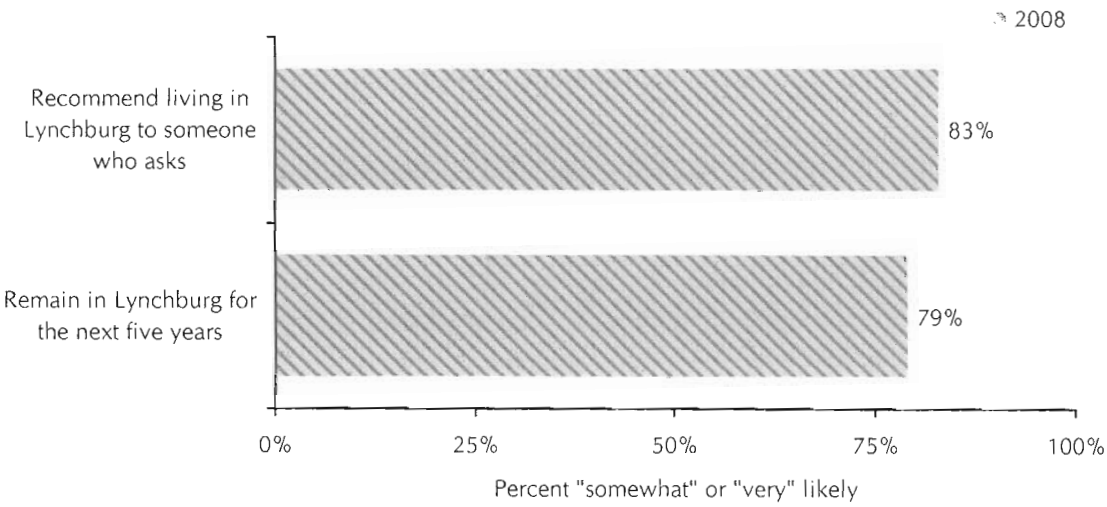


FIGURE 5: OVERALL COMMUNITY QUALITY BENCHMARKS

	National comparison	Southern region comparison
Overall quality of life in Lynchburg	Similar	Similar
Your neighborhood as place to live	Similar	Similar
Lynchburg as a place to live	Similar	Similar
Remain in Lynchburg for the next five years	Similar	Similar
Recommend living in Lynchburg to someone who asks	Similar	Similar

// A regular meeting of the Council of the City of Lynchburg was held on the 14th day of December, 2010, at 5:00 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. The following Members were present:

Present: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster

7

Absent:

0

// Mr. John Aldridge with Brown Edwards & Company, the City's external auditor, presented a brief overview regarding the City's Comprehensive Annual Financial Report (CAFR) for fiscal year ending June 30, 2010. Mr. Aldridge stated that the deadline for filing the audit with the State was November 30th. He further stated that government auditing standards were followed and that because the City receives federal money, what is known as a "single audit" also had to be done, making the process more stringent than a regular audit. Mr. Aldridge reported that the City had received an unqualified opinion, which was the highest standard for an audit. Mr. Aldridge further stated that the City Schools' Audit Report was included for Council review. Mr. Aldridge advised that the School's report included a material weakness for the past year regarding the recordation of grant funds and a number of audit adjustments.

// Leslie King, Assistant to the City Manager, gave a brief summary of the Town & Gown Initiative stating that guidance is needed from Council regarding the goals, structure and staff support to continue this initiative. Ms. King further stated that on Friday, November 12, Lynchburg City Council hosted an informal *Town & Gown* breakfast meeting with the presidents or their representatives from Central Virginia Community College, Virginia University of Lynchburg, Lynchburg College, Liberty University, Randolph College and Sweet Briar. The purpose of the meeting was to begin a conversation about building stronger relationships between the institutions and the City. During the meeting, each institution enthusiastically welcomed the idea of a town and gown initiative and agreed to continue meeting on a quarterly basis, rotating meetings among the different campuses. The consensus of Council is that this initiative should remain informal and there should be very limited staff time and resources used. Council felt a liaison should reach out to the colleges and universities to keep communication open and report back to Council.

// City Manager Kimball Payne gave a presentation on Public Safety Compensation stating that the City should try to be true to its compensation philosophy which focuses primarily on "performance" and "market". His presentation included an overview of City employee compensation and turnover, highlighting public safety statistics, and reviewed past actions regarding pay. Mr. Payne presented three proposals to address issues specific to the Police Department: (1) pay adjustments of 3% effective January 1, 2011, (2) a bonus program for police officers in the first five years of employment, and (3) third party assistance to further examine issues related to pay, staffing and other concerns. Mr. Payne explained each proposal in details, including possible costs and the impact of similar actions if taken for the other public safety departments. Mr. Payne asked for Council's direction with respect to all or part of the proposals. Council asked questions about the proposals and discussed the possible ramifications on the upcoming FY 2012 Budget if action was taken without identifying an ongoing source of funding for pay adjustments. After Council discussion, Council Member Nelson made a motion to implement the bonus program for officers in the first five years of employment and to endorse the city manager's proposal with

regards to third party assistance. The motion was seconded by Council Member Perrow and passed by the following recorded vote:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster	7
Noes:	0

Council Member Nelson made a motion that a one-time bonus, payable in January, be authorized for the police, fire and emergency services departments with resources from carry forward funds. Furthermore, his motion included a statement of commitment of Council's intent to deal with the pay issue in a comprehensive way as part of the FY 2012 Budget deliberations. The motion was seconded by Council Member Helgeson. Council Member Perrow made a substitute motion to defer action until the end of the night's meeting as it was time to move to Council's regular evening agenda. The motion was seconded by Vice Mayor Johnson and approved by Council by the following recorded vote:

Ayes: Gillette, Helgeson, Johnson, Nelson, Perrow, Foster	6
Noes: Cary	1

// After the conclusion of its other public business, City Council continued the discussion of deferred item #3, regarding public safety compensation.

// Council Member Gillette asked the Police Chief and Fire Chief if the proposal offered earlier by Council Member Nelson was how they wanted to spend their carry forward monies, and each replied yes. Council Member Perrow asked that the motion be clarified. City Manager Payne stated that motion would be for Council "to authorize payment from existing carryover funds in the police department and fire department for a one-time Public Safety bonus of 2.5% on January 1st which included the Police, Fire and Emergency Services Departments, with the intent to address the matter of a more substantial sustainable compensation adjustment during the budget process for Fiscal Year 2012." Council Member Nelson made that motion, seconded by Council Member Gillette, and Council, by the following recorded vote passed the motion:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster	7
Noes:	0

// City Council recessed the meeting at 7:43 p.m.

// City Council reconvened the meeting at 7:45 p.m.

The following Members were present:

Present: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster	7
Absent:	0

Council Member Cary gave the Invocation, followed by the Pledge of Allegiance.

// Mayor Foster, Vice Mayor Johnson and Council Member Helgeson presented a Certificate of Recognition to Liberty University Coach Brant Tolsma, and Liberty University athlete Sam Chelanga for being the 2010 NCAA Division I Cross Country Men's Individual Champion.

// Mayor Foster, Vice Mayor Johnson and Council Member Helgeson presented a Proclamation – "Day of Purity".

// Council Member Cary left the meeting during the Consent Agenda.

// Copies of the minutes of the November 23, 2010 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Gillette, seconded by Vice Mayor Johnson, Council by the following recorded vote approved the minutes as presented:

Ayes: Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 6

Noes: 0

Absent: Cary 1

// In the matter of City Council, City Council Report #6 was considered. On motion of Council Member Gillette, seconded by Vice Mayor Johnson, Council by the following recorded vote received a list of candidates interested in serving on the Central Virginia Community Services Board:

Ayes: Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 6

Noes: 0

Absent: Cary 1

// Council Member Cary returned to the meeting during Item #7.

// In the matter of Community Planning - Zoning, a public hearing was held regarding City Council Report #7 outlining the petition of Heritage Baptist Church for a conditional use permit to allow the implementation of a comprehensive modified sign plan in an R-3, Medium Density Two-Family Residential District and an R-4, Medium-High Density Multi-Family Residential District at 219 Breezewood Drive. City Planner Tom Martin made a brief presentation of the request stating that the Planning Commission approved this request at its October 27 meeting. Mr. Jim Vernon, a member of the Church stated that he was available to answer questions. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Helgeson, seconded by Council Member Cary, Council by the following recorded vote adopted Resolution #R-10-143, as presented, granting the Conditional Use Permit:

Ayes: Cary, Helgeson, Johnson, Nelson, Perrow, Foster 6

Noes: 0

Absent: Gillette 1

// Council Member Gillette was not present during the vote for Item #7.

// In the matter of Community Planning - Zoning, a public hearing was held regarding City Council Report #8 outlining the petition of Peakland Baptist Church for a Conditional Use Permit (CUP) to allow the construction of a 63-space parking area in an R-1, Low Density Single-Family Residential District at 4006 and 4018 Peakland Place. Mayor Foster stated that she was excusing herself because she was a member of the Church and did not want the appearance of a conflict and turned the meeting over to Vice Mayor Johnson. City Planner Tom Martin gave a brief overview of the request and stated that the Planning Commission reviewed the CUP at its November 10 meeting and gave its approval with the conditions outlined in the resolution. Mr. Charles F. Hurt, an engineer for the Church asked Council for their approval of the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Helgeson, seconded by Council Member

Nelson, Council by the following recorded vote adopted Resolution #R-10-144, as presented, granting the Conditional Use Permit:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow,	6
Noes:	0
Abstention: Foster	1

// After the vote Vice Mayor Johnson turned the meeting back to Mayor Foster.

// In the matter of Community Planning – Zoning Amendments, a public hearing was held regarding City Council Report #9 regarding the petition of LTD Properties, Inc. to amend the Future Land Use Map (FLUM) from a Medium Density Residential use to a Neighborhood Commercial use to allow the development of office and light retail uses at 750, 752, 756 and 760 Leesville Road. City Planner Tom Martin gave a brief summary of the request stating that the Planning Commission did approve both the FLUM and the rezoning request at its November 10 meeting. Mr. Norm Walton with Perkins & Orrison and Mr. Robb Egel with LTD Properties, Inc. gave brief presentations of the request and asked for Council approval. Two individuals spoke in favor of the petition. There was one individual representing the Wexford Townhome Association who spoke in opposition citing the following reasons: (1) Leesville Road is not a high traffic area, (2) there needs to be a demonstrated need for the proposed development, (3) the proposal appears to be a piecemeal rezoning that leads to urban blight, (4) scale of the development, and (5) environmental concerns such as water runoff. There was no one else present who wished to speak to this item, and the public hearing was closed. During Council discussion several issues were identified, i.e. changing the FLUM before understanding how Leesville Road is going to work, developing Leesville Road on a septic tank system and traffic issues. On motion of Council Member Perrow, seconded by Council Member Nelson, Council by the following recorded vote adopted Ordinance #O-10-145, as presented, amending the Future Land Use Map:

Ayes: Cary, Helgeson, Nelson, Perrow	4
Noes: Gillette, Johnson, Foster	3

Council Member Perrow stated that maybe the petitioner would like to come back and have a prepared response at a later date about the sewer service with this petition. Council Member Perrow asked the petitioner if he would like to postpone this decision until a later date and the petitioner responded affirmatively and on motion of Council Member Cary, seconded by Council Member Nelson, Council by the following recorded vote postponed this item indefinitely:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster	7
Noes:	0

// Mayor Foster and Vice Mayor Johnson presented a Certificate of Recognition to Lynchburg College Coach Chris Yeager and also recognized Lynchburg College 2010 Men's Soccer Team.

// In the matter of Economic Development – General, City Council Report # 10 was considered.

Council Member Gillette stated that he would refrain from voting on this item due to a conflict of interest regarding Centra Health. On motion of Council Member Helgeson, seconded by Council Member Cary,

Council by the following recorded vote adopted Resolution #R-10-146, as presented, approving the issuance of not to exceed \$30,000,000 bonds through the Economic Development Authority of Lynchburg, Virginia (EDA), for Centra Health:

Ayes: Cary, Helgeson, Johnson, Nelson, Perrow, Foster	6
Noes:	0
Abstention: Gillette	1

// In the matter of Recreation – General, City Council Report # 11 was considered. Parks and Recreation Director Kay Frazier gave a brief overview of the request and stated that this is just a draft agreement and that there are still other issues to be worked out, i.e., (1) fine tune the language to make sure its defined as a charitable donation, (2) clearly define that a portion of the property will be non-residential to conform with requirements from the Virginia Department of Environmental Quality, and (3) the City does not want to be in a position that we would be obligated to operate the greenhouse or the urban farm in the event that Lynchburg Grows would abandon the property. During Council discussion concern was expressed that if Lynchburg Grows ceases to exist as a viable organization, the terms of the lease would have the property remain in a conservation easement and removes the possibility of a land use for the City. Council Member Cary made a motion to table this item until the language was clarified, seconded by Council Member Helgeson. After further discussion it was stated that Lynchburg Grows had bought and owned the property, not the City, and Council Member Cary then withdrew his motion to table, and on motion of Council Member Helgeson, seconded by Council Member Nelson, Council by the following recorded vote adopted Resolution #R-10-147, as presented, authorizing the City Manager to continue to negotiate and execute a Deed of Conservation Easement between the City of Lynchburg and Lynchburg Grows:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster	7
Noes:	0

// In the matter of Community Development – General, City Council Report # 12 was considered. Mr. Eddie Claiborne, President of the Fifth Street Development Corporation made a brief presentation to Council. Several Council Members expressed concerns about planting birch trees in the Roundabout and causing a view obstruction for motorists. City Manager Kimball Payne stated that if Council had concerns about endorsing the Plan, it couldn't be changed after Council adopted the resolution. Mr. Payne suggested putting a period after the word streets in the last line of the resolution indicating that Council was merely endorsing the fund raising efforts. On motion of Vice Mayor Johnson, seconded by Council Member Gillette, Council by the following recorded vote adopted Resolution #R-10-148, as amended, endorsing the fund raising efforts for landscaping improvements to the Fifth Street Roundabout:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster	7
Noes:	0

// In the matter of City Code/Economic Development – General, City Council Report #13 was considered. On motion of Council Member Helgeson, seconded by Council Member Perrow, Council by the following

recorded vote adopted Ordinance #0-10-149, as presented, amending the City Code relating to the machinery and tools tax incentive for businesses located in the City's Enterprise Zones:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// In the matter of City Code/Public Works - General, City Council Report #14 was considered. On motion of Council Member Cary, seconded by Council Member Helgeson, Council by the following recorded vote adopted Ordinance #0-10-150, as presented, amending the City Code relating to the cost for disposal of personal property placed in the public right of way:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// In the matter of City Manager, City Council Report # 15 was considered. On motion of Council Member Cary, seconded by Council Member Gillette, Council by the following recorded vote adopted Resolution #R-10-151, as presented, to support the election of Bonnie Svrcek, Deputy City Manager, to the position of President-Elect of the International City/County Management Association (ICMA):

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// During Roll Call Council Member Cary stated he was intrigued by a newspaper article concerning the City School Board and City Administration about consolidation and further highlights the fact that the School Board sees no benefit from a consolidation with the City's Financial Services. Council Member Cary also passed on a letter to City staff to follow up on a citizen complaint about Comcast Cable and their negative experiences. Council Member Perrow commented on a letter from Congressman Bob Goodlatte commending the City for receiving the Digital Cities Award. Council Member Perrow also stated that he received a letter from Mr. Richard Ashworth about an appeal, and asked city staff to contact Mr. Ashworth. City Manager Payne responded stating that Mr. Ashworth had missed the deadline for an appeal. Council Member Helgeson stated that he serves with the City/School Consolidation Task Force and that he is extremely frustrated with the way things are going with the consolidation.

// On motion of Council Member Cary, seconded by Council Member Gillette, Council by the following recorded vote elected to hold a closed meeting to consider (1) appointments to Council-appointed Boards and Commissions, i.e., Youth Services Citizens Board, City Employees Appeal Board, Community Development Advisory Committee, Planning Commission, Community Services Board, Lynchburg Community Action Board, Lynchburg Regional Airport Commission and Region 2000 Greenways Alliance; (2) discussion of the Clerk of Council position; (3) to discuss the disposition of public property, specifically, the Carter Glass Building, because public discussion would adversely affect the bargaining position or negotiating strategy of the City; and (4) for consultation and briefings about a specific legal matter, the provisions of the contract with the City's Legislative Liaison, pursuant to Section 2.2-3711(A.)(1), (3) and (7) of the Code of Virginia, 1950, as amended:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// The meeting was re-opened to the public.

// Council Member Helgeson made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Council Member Gillette, and Council by the following recorded vote adopted the motion:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// In the matter of Appointments, and on nomination of Council Member Gillette, seconded by Council Member Helgeson, Council by the following recorded vote appointed Susan Landergan, to serve on the Youth Services Citizens Board to fill an unexpired term ending June 30, 2012:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// On nomination of Council Member Gillette, seconded by Council Member Helgeson, Council by the following recorded vote appointed Juan A. DeLeon to serve on the City Employees Appeals Board to fill an unexpired term ending June 30, 2012:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// On nomination of Council Member Gillette, seconded by Council Member Helgeson, Council by the following recorded vote re-appointed Richard D. Barnes and Theodore B. Hannon to serve on the Planning Commission for terms to expire December 31, 2013:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// On nomination of Council Member Gillette, seconded by Council Member Helgeson, Council by the following recorded vote re-appointed William F. Schneider to serve on the Community Services Board for a term to expire December 31, 2013:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster 7

Noes: 0

// On nomination of Council Member Gillette, seconded by Council Member Helgeson, Council by the following recorded vote appointed Council Member Michael A. Gillette, Council Member Ceasor T.

December 14, 2010

295

Johnson, Council Member J. Randolph Nelson and Council Member Turner Perrow to serve on the Lynchburg Community Action Board for terms to expire December 31, 2013:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster

7

Noes:

0

// On nomination of Council Member Gillette, seconded by Council Member Helgeson, Council by the following recorded vote re-appointed Charles S. Nowlin, Jr. and Jones H. Stanley to serve on the Lynchburg Regional Airport Commission for terms to expire December 31, 2013:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster

7

Noes:

0

// On nomination of Council Member Gillette, seconded by Council Member Helgeson, Council by the following recorded vote re-appointed Steve Arnold to serve on the Region 2000 Greenways Alliance for a term to expire December 31, 2012:

Ayes: Cary, Gillette, Helgeson, Johnson, Nelson, Perrow, Foster

7

Noes:

0

// The meeting was adjourned at 11:04 P.M.

Interim Clerk of Council

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 11, 2011**

AGENDA ITEM NO.: 6

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: Rezoning: B-1C, Limited Business District (Conditional) to B-3C, Community Business District (Conditional)

RECOMMENDATION: Approval of the rezoning petition.

SUMMARY: Robert D. Crocker is petitioning to rezone three and eighty four hundredths (3.84) acres from B-1C, Limited Business District (Conditional) to B-3C, Community Business District (Conditional) at 2134 Old Forest Road. The purpose of the petitions is to allow the construction of a three thousand, seven hundred twenty-one (3,721) square foot, two (2)-story building addition and to allow the use of the property as a hotel/motel, banquet hall and restaurant.

The Planning Commission recommended approval of the rezoning petition because:

- The petition agrees with the *Zoning Ordinance* which permits hotels, banquet halls and restaurants in a B-3, Community Business District with approval of the rezoning petition by City Council.
- The petitions would allow for the expansion of an existing business that blends well with the neighboring area.

Mr. Crocker has also petitioned to amend the Future Land Use Map (*FLUM*) from Low Density and Medium Density Residential to Regional Commercial. Due to a staff error in advertising the required legal notice, the *FLUM* amendment should not have been acted upon by the Planning Commission and can not be acted upon by the City Council at this time. The rezoning of the property could occur if deemed appropriate by the City Council which would not result in a delay of the project. City staff will advertise the *FLUM* amendment for consideration by Planning Commission on January 26 and City Council on February 8.

PRIOR ACTION(S):

December 8, 2010: The Planning Division recommended approval of the proposed *FLUM* amendment and the rezoning petition.

The Planning Commission waived the twenty-one (21) day submittal requirement for proffers.

The Planning Commission recommended approval of the proposed *FLUM* amendment and the rezoning petition (5-0 with 2 members absent - Barnes and Hannon).

FISCAL IMPACT: None

CONTACT(S): Tom Martin, City Planner - 455-3900

Kent White, Director of Community Development – 455-3900

ATTACHMENT(S):

- Ordinance – Rezoning
- Planning Commission Report
- Rezoning Plan for Acorn Hill Lodge – November 15, 2010
- Proffer
- Project Description
- Speaker Sign Up Sheet – December 8, 2010
- Planning Commission Minutes – December 8, 2010
- Vicinity Map
- Future Land Use Map
- Watershed Location Map
- Property Photographs

REVIEWED BY: bms

AN ORDINANCE CHANGING A CERTAIN AREA LOCATED AT 2134 OLD FOREST ROAD FROM B-1C, LIMITED BUISESS DISTRICT (CONDITIONAL) TO B-3C, COMMUNITY BUSINESS DISTRICT (CONDITIONAL).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG that in order to promote the public necessity, convenience, welfare and good zoning practice that Chapter 35.1 of the Code of the City of Lynchburg, 1981, as amended, be and the same is hereby further amended by adding thereto Section 35.1-76.____, which section shall read as follows:

Section 35.1-76.____. Change of a certain area located at 2134 Old Forest Road from B-1C, Limited Business District (Conditional) to B-3C, Community Business District (Conditional).

The area embraced within the following boundaries . . .

Beginning at a point on the Northeasterly right of way line of Old Forest Road at its intersection with Range Street. Thence with Range Street along its southerly line the following calls, a curve with a central angle of 99 degrees 21 minutes 49 seconds, a radius of 15.00 feet, a length of 26.01 feet with a chord bearing of North 18 degrees 48 minutes 03 seconds East and a chord distance of 22.87 feet, thence along a curve with a central angle of 4 degrees 03 minutes 35 seconds, a radius of 542.36 feet, a length of 38.43 feet with a chord bearing of North 70 degrees 30 minutes 46 seconds East and a chord distance of 38.42 feet, thence South 17 degrees 27 minutes 27 seconds East and a distance of 15.00 feet, thence North 73 degrees 20 minutes 21 seconds East and a distance of 14.66 feet, thence North 15 degrees 51 minutes 51 seconds West and a distance of 15.00 feet, thence a curve with a central angle of 20 degrees 37 minutes 03 seconds, a radius of 542.36 feet, a length of 195.17 feet with a chord bearing of North 84 degrees 26 minutes 41 seconds East and a chord distance of 194.11 feet, thence North 31 degrees 34 minutes 14 seconds East and a distance of 41.80 feet, thence leaving the right of way of Range Street South 72 degrees 06 minutes 46 seconds East and a distance of 236.84 feet to a point on the right of way of Maher Street, thence with the right of way of Maher Street along a curve with a central angle of 14 degrees 39 minutes 33 seconds, a radius of 600.55 feet, a length of 153.65 feet with a chord bearing of South 50 degrees 08 minutes 32 seconds East and a chord distance of 153.23 feet, Thence leaving said right of way South 41 degrees 23 minutes 59 seconds West and a distance of 266.15 feet, thence North 51 degrees 27 minutes 01 seconds West and a distance of 232.21 feet, thence South 31 degrees 35 minutes 59 seconds West and a distance of 237.88 feet to a point on the right of way of Old Forest Road, thence with Old Forest Road the following calls along the easterly right of way line North 17 degrees 44 minutes 32 seconds West and a distance of 92.42 feet, thence North 20 degrees 14 minutes 22 seconds West and a distance of 121.96 feet, thence along a curve with a central angle of 10 degrees 38 minutes 29 seconds, a radius of 793.94 feet, a length of 147.46 feet with a chord bearing of North 25 degrees 33 minutes 37 seconds West and a chord distance of 147.25 feet back to the point of beginning, containing approximately 3.243 Acres.

... is hereby changed from B-1C, Limited Business District (Conditional) to B-3C, Local Neighborhood Business District (Conditional) subject to the condition set out herein below which was voluntarily proffered in writing by the owner, namely Robert D. Crocker, to wit:

1. The property will be developed in substantial compliance with the "Rezoning Plan for an Addition to Acorn Hill" dated November 15, 2010.

And the Director of Community Development shall forthwith cause the "Official Zoning Map of Lynchburg, Virginia," referred to in Section 35.1-4 of this chapter to be amended in accordance therewith.

Adopted:

Certified: _____
Interim Clerk of Council

005L

The Department of Community Development

City Hall, Lynchburg, VA 24504

434-455-3900

To: Planning Commission

From: Planning Division

Date: December 8, 2010

Re: *Future Land Use Map* Amendment – Low Density Residential and Medium Density Residential to Regional Commercial

Rezoning: Acorn Hill – B-1C, Limited Business District (Conditional) to B-3C, Community Business District (Conditional)

I. PETITIONER

Robert D. Crocker, Acorn Hill, 2134 Old Forest Road, Lynchburg, VA 24501

Representative: Robert D. Crocker, Acorn Hill, 2134 Old Forest Road, Lynchburg, VA 24501

II. LOCATION

The subject property includes one (1) tract totaling three and eighty-four hundredths (3.84) acres at 2134 Old Forest Road.

Property Owners: Robert D. Crocker & Wanda E. Brooks-Crocker, 2134 Old Forest Road, Lynchburg, VA 24501

III. PURPOSE

The purpose of this petition is to allow the construction of a three thousand seven hundred twenty-one (3,721) square foot, two (2)-story building addition that would serve as a hotel/motel, banquet hall and restaurant.

IV. SUMMARY

- The petition would amend the *Comprehensive Plan 2002-2020's Future Land Use Map [FLUM]* designation which recommends Low Density Residential and Medium Density Residential use for the subject property.
- Petition agrees with the *Zoning Ordinance* which permits hotels, banquet halls and restaurants in a B-3, Community Business District with approval of the rezoning petition by City Council.

The Planning Division recommends approval of the *FLUM* amendment and rezoning petitions.

V. FINDINGS OF FACT

2. **Comprehensive Plan.** The *Comprehensive Plan 2002-2020* recommends Medium Density Residential and Low Density Residential uses in this area. Low Density Residential (**page 5.5**) areas “are dominated by single family detached housing at densities of up to four dwelling units per acre ... [and] may include public and institutional uses compatible in scale with single family residential homes. Private recreation uses, including country clubs and swim and racquet clubs, and private open space are also appropriate for Low Density Residential areas.” Medium Density Residential areas (**page 5.5**) “are characterized by small-lot single family detached housing, duplexes, and townhouses at densities up to 12 units per acre. Where neighborhoods already exist, infill development should be at a compatible density and housing type. In addition to residential uses, they may include public and institutional uses compatible in scale with single family residential homes. Private recreation uses, including country clubs, swim and racquet clubs, and private open space are also appropriate.

The petition would amend the *FLUM* for the subject property to a Regional Commercial use. Regional Commercial (page 5.5) areas “include retail, restaurant, entertainment, and hotel uses that draw customers from

the entire region, as well as the traveling public.” Adjacent land uses are designated for Low Density Residential and Medium Density Residential use by the *FLUM*; however, much of the surrounding zoning includes B-3, Community Business District zoning in addition to R-2, Low-Medium Density Single-Family Residential District and R-3, Medium Density Two-Family Residential District zoning.

3. **Zoning.** The subject property was annexed into the City in 1958 and was originally zoned as a R-2, Low-Medium Density Single-Family Residential District in 1978 with the adoption of the *Zoning Ordinance*. The existing B-1C, Limited Business District zoning was established on March 8, 1998 with the approval of a rezoning by City Council to allow the operation of a spa and bed and breakfast and, on March 9, 2004, rezoned to amend proffers to allow the operation of an eight (8) room lodging house in addition to the spa and salon uses.
4. **Proffers.** The petitioner voluntarily submitted the following proffers with the rezoning application:
 1. The property will be developed in substantial compliance with the “Rezoning Plan For an Addition to Acorn Hill” dated November 16, 2010.
5. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances would be needed for the development of the property as proposed.
6. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - On March 9, 2004, City Council approved Robert D. Crocker & Wanda E. Brooks-Crocker’s petition to rezone two and nine tenths (2.9) acres from B-1C, Limited Business District (Conditional) to B-1C, Limited Business District (Conditional) to amend the existing proffers and allow the use of the property as an eight (8)-room lodging house in addition to the spa and salon uses at 2134 Old Forest Road.
 - On February 13, 2001, City Council approved Lynchburg Retirement Corporation’s petition for a CUP to allow the construction of a Planned Unit Development for eighty-seven (87) single-family detached homes in an R-3, Medium Density Two-Family Residential District at 2713 Old Forest Road.
 - On June 9, 1998, City Council approved Prayer of Faith Temple’s petition for a CUP to allow the construction of a church and parking area in an R-2, Low-Medium Density Single-Family Residential District at 3100 Hill Street.
 - On March 8, 1998, City Council approved Wanda E. Brooks-Crocker’s petition to rezone approximately three (3) acres from R-2, Low-Medium Density Single-Family Residential District to B-1C, Limited Business District (Conditional) to allow the construction of a building addition for use as a massage clinic at 2134 Old Forest Road and 2121 Maher Street.
 - On August 13, 1996, City Council approved Robert Crocker’s petition for a CUP to allow operation of a bed and breakfast for up to four (4) guests in an R-2, Low-Medium Density Single-Family Residential District at 2121 Maher Street.
 - On July 8, 1986, City Council approved East Ridge Associates’ petition for a CUP to allow the construction and operation of a nursing home and adult care facility in an R-3, Medium Density Two-Family Residential District at 2513 Old Forest Road and 100 Poindexter Street.
7. **Site Description.** The subject property includes an existing eight (8)-room lodging house, spa and salon facilities and associated parking; the balance of the property includes a pond and undeveloped forestal land. The property is bound to the north, east, south and west by existing single-family homes.
8. **Proposed Use of Property.** The purpose of this petition is to allow construction of a three thousand seven hundred twenty-one (3,721) square foot, two (2)-story building addition with four (4) lodging rooms, laundry facilities, and a banquet hall/small restaurant with a commercial kitchen to serve up to twenty-five (25) guests. The existing spa, salon and lodging rooms would remain and the petition would allow for a maximum of

seventeen (17) guest rooms for the entire facility. The site is currently served by City water and sewer and landscaping for the project would comply with the requirements of the City's *Zoning Ordinance* which includes foundation plantings and utility area screening.

The petitioner hosted a neighborhood meeting on Thursday, November 18, 2010. The petitioner presented the concept plan to seven (7) people in attendance and answered questions regarding the proposal.

9. **Traffic, Parking and Public Transit.** The vehicle trip threshold for the existing and proposed uses is less than the five hundred (500) daily trips and the fifty (50) peak hour trips that would warrant a traffic study. The City's Transportation Engineer had no concerns regarding the proposed building addition or additional uses.

Parking requirements are established by the City's *Zoning Ordinance* and include one (1) parking space for each lodging room, one (1) parking space for each residence, two (2) parking spaces for each one thousand (1000) square feet of floor space for the spa/salon uses and one space per four (4) persons for the banquet hall/restaurant. The entire project would require a total of thirty (30) parking spaces. The existing development currently has thirty-eight (38) parking spaces on site, thus meeting the requirement of City Code.

The Acorn Hill property is served by public transit. Greater Lynchburg Transit Company's Route 8 runs along Old Forest Road, with a bus stop located approximately five hundred (500) feet from the property at the intersection of Old Forest Road and Range Street..

10. **Stormwater Management.** The construction of the proposed three thousand seven hundred twenty-one (3,721) square foot building addition would exceed the one thousand (1,000) square foot threshold for stormwater management; as such, a plan to address water quantity and quality of the surface water runoff would be required for the construction. Section 16.2-20 of the City's Stormwater Ordinance provides for new impervious area between one thousand (1,000) and five thousand (5,000) square feet, the increase in post-development runoff can be managed by landscaping along the new building perimeter. The gutters from the new addition would discharge into an existing channel located near the southern portion of the site. Preliminary review of the site indicates that the channel is adequate to receive stormwater from the site once it meets the City's quantity and quality standards.

11. **Emergency Services.** The City's Fire Marshal had no concerns regarding the proposed building addition, or proposed use of the property.

The City Police Department had no concerns regarding the proposed building addition, or proposed use of the property.

12. **Impact.** The Acorn Hill property currently includes eight (8) lodging rooms, as well as a salon and spa. The proposed addition would allow the addition of four (4) guest rooms (as well as the renovation of the existing facilities to provide for five (5) additional rooms) and a banquet area for up to twenty-five (25) individuals. Although the site is located in a primarily residential area, Acorn Hill has operated commercially since 1996 and is in close proximity to other B-3, Community Business District zoned property, which is approximately seven hundred (700) feet east on Old Forest Road. The proposed addition would meet the required setbacks, would be screened from the closest property by an existing vegetative buffer and has adequate parking already on site for the addition. The City's Transportation Engineer, Environmental Reviewer, Fire Marshal and Crime Prevention Specialist had no concerns regarding the proposed building addition and the result would be the expansion of an existing business with minimal impact on the surrounding neighborhood.

13. **Technical Review Committee.** The Technical Review Committee (TRC) originally reviewed the preliminary site plan on October 19, 2010. Comments related to the proposed use were minor in nature and have or will be addressed by the developer 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 Robert D. Crocker's petition to amend the *Future Land Use Map* from Low Density Residential and Medium Density Residential to Regional Commercial for three and eighty-four hundredths (3.84) acres at 2134 Old Forest Road.

The Planning Commission waives the twenty-one (21) day submittal requirement for proffers.

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval Robert Crocker's petition to rezone three and eighty-four hundredths (3.84) acres from B-1C, Limited Business District (Conditional) to B-3C, Community Business District (Conditional) at 2134 Old Forest Road, with the voluntarily submitted proffers.

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 Kozarow, Lynchburg Police Department
Battalion Chief Greg Wormser, Fire Marshal
Mr. Gerry Harter, Transportation Engineer
Mr. Doug Saunders, Acting Building Commissioner
Mr. Robert Fowler, Zoning Administrator
Ms. Erin Hawkins, Environmental Reviewer
Mr. Robert Crocker, Applicant, Acorn Hill

VII. ATTACHMENTS

- 1. Vicinity Zoning Pattern**
- 2. Vicinity Proposed Land Use**
- 3. Watershed Location Map**
- 4. Concept Plan**
- 5. Project Description**
- 6. Parking Calculations and Proffers**
- 7. Photos**

REQUIRED PARKING FOR PROPOSED LODGE:

1 SPACE PER LODGING ROOM X 17 ROOMS = 17 SPACES REQUIRED
1 SPACE PER RESIDENCE ROOM X 1 ROOM = 1 SPACE REQUIRED

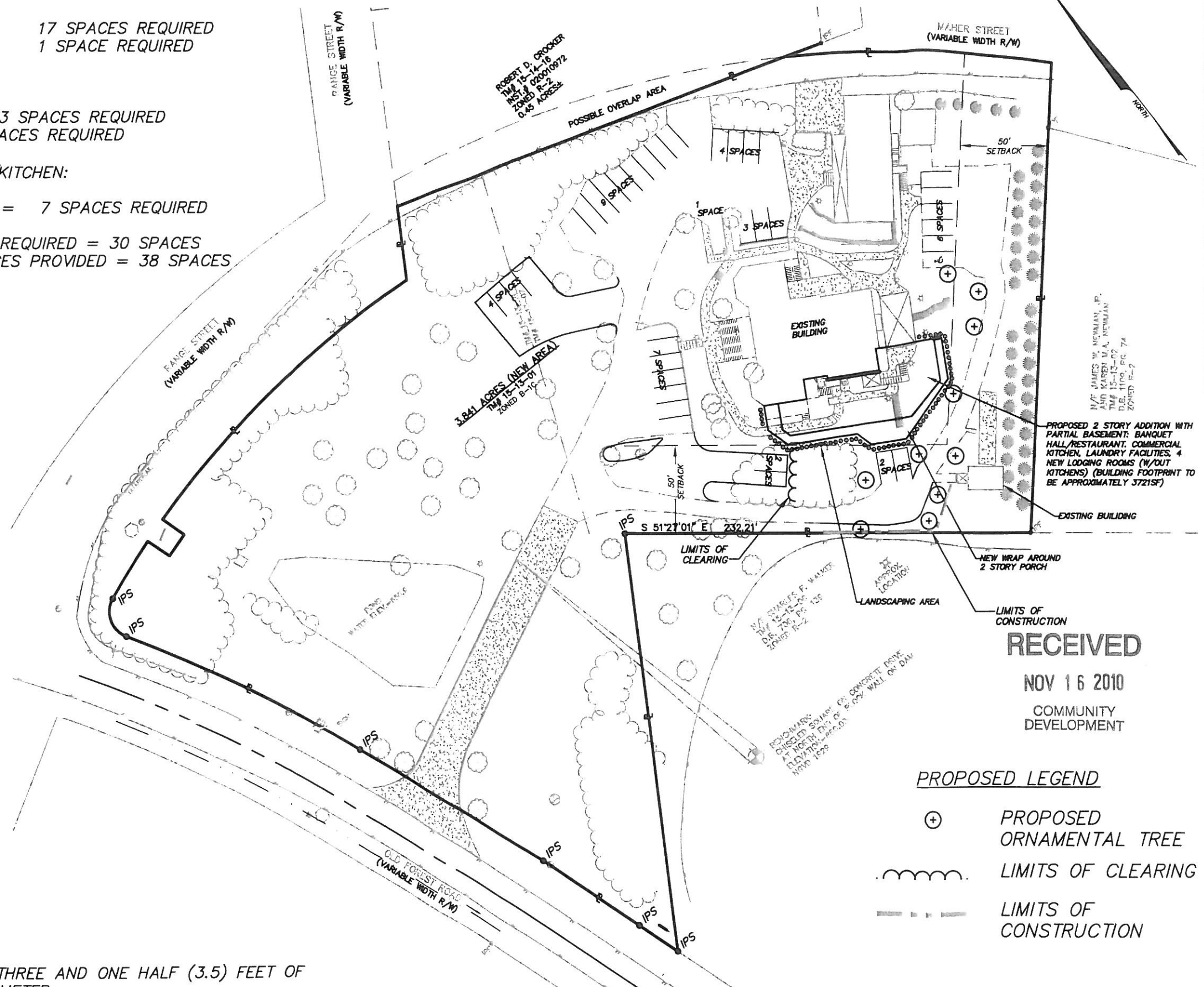
REQUIRED PARKING FOR SPA AND SALON:

1 SPACE PER EMPLOYEE X 3 EMPLOYEES = 3 SPACES REQUIRED
1 SPACE PER 300 SF X 450 SF = 2 SPACES REQUIRED

REQUIRED PARKING FOR SMALL RESTAURANT/KITCHEN:

1 SPACE PER FOUR PERSONS X 25 PERSONS = 7 SPACES REQUIRED

TOTAL SPACES REQUIRED = 30 SPACES
TOTAL OF SPACES PROVIDED = 38 SPACES

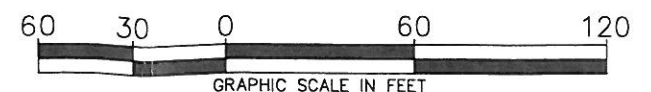


LANDSCAPE FOR STORMWATER MANAGEMENT

REQUIRED: 1 LARGE SHRUB FOR EVERY THREE AND ONE HALF (3.5) FEET OF NEW BUILDING EXTERIOR PERIMETER.
202 LF X 1 LARGE SHRUB/3.5 LF = 58 LARGE SHRUBS

REQUIRED: 1 ORNAMENTAL TREE FOR EVERY TWENTY (20) FEET OF NEW BUILDING EXTERIOR PERIMETER.
202 LF X 1 ORNAMENTAL TREE/20 LF = 10 ORNAMENTAL TREES

ADDRESS: 2134 OLD FOREST ROAD, LYNCHBURG, VA
PROPOSED ZONING: B3(Conditional) USE
REF. PROJECT #REZ1010-0001



ENGINEERING >> SURVEYING >> PLANNING

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

REZONING PLAN FOR ACORN HILL LODGE LYNCHBURG, VIRGINIA

RECEIVED

NOV 16 2010
COMMUNITY DEVELOPMENT

PROPOSED LEGEND

- ⊕ PROPOSED ORNAMENTAL TREE
- ~ LIMITS OF CLEARING
- LIMITS OF CONSTRUCTION

PROJECT NO. 20100453
G.L. NO. 299-13-D3.6
FILE NO.
DATE: 11/15/2010
DRAWN BY: NRO
CHECKED BY: PCP

SHEET NO.
1 OF 1

November 30, 2010

Department of Community Development
Planning Division
900 Church St.
Lynchburg, VA 24504

RE: Proffer Submission

Dear Mr. Martin:

I hereby voluntarily submit the following proffer with my rezoning petition for 2134 Old Forest Road:

- The property will be developed in substantial compliance with the "Rezoning Plan for an Addition to Acorn Hill" dated November 16, 2010.

Sincerely,

A handwritten signature in cursive script, reading "Robert D. Crocker". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

Robert Crocker
Owner

Acorn Hill Addition
2134 Old Forest Road Lynchburg Virginia
REZ1010-0001

RECEIVED

NOV 16 2010

COMMUNITY
DEVELOPMENT

Narrative:

Project Description:

The project will consist of the construction of a new building addition having two floors with a building footprint of 3721 square feet after construction including decks and patios. The facility will be used as a combination Extended Stay Lodge, Spa, Salon and small restaurant with commercial kitchen seating 20 to 25 people. The new addition will also have a laundry facility for use exclusively for the lodging rooms. The existing facility currently has 9 lodging units with an additional 8 being added as part of the new project. The existing lodging units are distributed between the main building and the smaller annex building located on the northeastern edge of the property. The new lodges will also be distributed between the main building and annex. The annex building currently has a 3755 square foot dedicated as spa and salon which will be reduced to a total of 450 square feet (3 – 150 square foot Therapy Rooms). The remaining 3303 will be dedicated to the new lodging units.

Stormwater Management:

It is anticipated that stormwater from the 3721 square foot building addition will discharge from roof guttering systems located at several points of the building and discharged into landscape areas located in the building perimeter. As the building addition does not exceed 5000 square feet it is anticipated that water quantity and quality can be satisfied by enhanced landscaping.

Adequate Receiving Channel:

There is an adequate receiving channel located near the southern portion of the site. Stormwater from the proposed building addition can potentially reach this channel but will not be necessary if enhanced landscaping is used for stormwater quality and quantity management.

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

Environmental Impacts:

The proposed building addition will be located in an area of previous improvements and is not located in any environmentally sensitive areas.

December 8, 2010

NAME,

[illegible]

MINUTES FROM THE DECEMBER 8, 2010 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED. THERE WAS NO MEETING ON DECEMBER 22, 2010):

- a. Petition of George C. Walker, Jr. to amend the Future Land Use Map from a Resource Conservation Use to Neighborhood Commercial Use and to rezone 1.29 acres from B-1C, Limited Business (Conditional) to B-3C, Community Business (Conditional) to allow the use of the existing buildings for light retail use in addition to those permitted in B-1, Limited Business District, and B-2, Local Neighborhood Business District at 2050 Langhorne Road.**

Commissioner Hooper said he would be abstaining from this petition. Mr. Martin explained that this property was rezoned in October 1988 from Conservation to B-1C for the construction of the two office buildings that currently exist on the site. The owner and petitioner is requesting to rezone the property to B-3C to allow additional uses on the property, primarily for light retail or very limited restaurants with seating for up to 25 people or takeout type restaurants. There are currently other B-3 uses within the immediate area. There is B-3C property located at the intersection of Langhorne Road and Clifton Streets, also at Langhorne Road and Hill Street and further down Langhorne Road at The Farm Basket. The property is currently designated as a Conservation Use on the *Future Land Use Map (FLUM)*, even though it is currently zoned commercial and has been used for commercial purposes for a number of years.

The Transportation Engineer has reviewed the site plan and did not have any comments or concerns with the additional trips that would be generated. It did not necessitate a traffic study since there are no building additions and the site is remaining primarily unchanged. Stormwater management is not an issue. The Planning Division does recommend approval of both the *FLUM* amendment and the rezoning petitions.

Mr. Buster Walker, one of the owners of the property, came forward to speak on behalf of the petition. The two buildings have remained almost 100 percent occupied until recently. There are currently several vacancies and the owners thought they might put some light retail or small restaurants in the vacant spaces. The two buildings have remained unchanged since they were built and the owners feel the buildings are very complementary to the neighborhood. Mr. Walker also mentioned that they gave approximately five acres of land to the City in 1988 for conservation purposes. They share their parking with the synagogue across the street. Mr. Walker is not aware of any complaints from neighbors about the proposed change and is available to answer any questions.

Chair Hamilton asked if there was anyone else present who wished to speak in favor of this petition. No one came forward. Chair Hamilton asked for anyone who wished to speak in opposition to this petition.

Ms. Ellwyn Andrusky of 2116 Royal Oak Circle came forward to speak. She owns the property at 1919 Thomson Drive. She strongly objects to the changing of the zoning at 2050 Langhorne Road from B-1 to B-3 and is requesting the commission's denial of the petition. The building is well suited to professional renters, which it has had consistently throughout the years. The building could be added on to on the right or left side or in the front. It has a high traffic count and is in a great location. It makes a nice transitional view coming in from the only other major roadway other than the Midtown Connector. She believes that any other use would negatively impact the small businesses already struggling to stay in business along that section.

She believes that any other type of business is too close to the houses on further up Langhorne Road past The Farm Basket. She feels there is less of a guarantee that any other type of business other than professional uses will actually be successful other than professional. The City has spent an enormous amount of time and money on the Midtown Connector to help bring in more professionals to the nearby

Centra Health area. She wonders why the B-1 zoning should be changed if it was good enough to cause the buildings to be built in 1988.

There is funding available to help revamp buildings in the medical area and to help with hiring in a very economically viable section of the City. If you consider professionals as one of the gears that make the City of Lynchburg become an economic engine, you need to have areas designated and zoned for that. Professionals are their business and many can sustain their practice in an economic downturn when other businesses suffer because their goods are mostly luxury items.

Chair Hamilton asked for anyone else who wished to speak in opposition to the petition. No one came forward. She asked Mr. Walker to come back and address some of these concerns. Mr. Will Sigler of Berkley Howell and Associates came up with Mr. Walker. Mr. Sigler explained that expanding the building is not part of the request and never will be. Mr. Sigler assured them that Mr. Walker would prefer that this remain as office space, but that is not happening. In the interest of filling a vacant building, the owners are trying to enlarge the pool of tenants. Mr. Sigler does not see any negative impact to the tenants to which he is trying to lease the space. Mr. Sigler explained that they are not excluding professional tenants, and that is actually the preference, but that market is a little slim right now.

Chair Hamilton invited Ms. Andrusky back to speak again if she had any additional questions or comments. She declined and Chair Hamilton closed the public hearing portion of the petition.

Chair Hamilton asked Mr. Walker what the intended B-3 uses were that he in mind for the property. Mr. Walker said they did not have any particular businesses in mind but possibly some light retail or a small restaurant or coffee shop. He thinks they would be the type of businesses that would be helpful to the area. The land on each side of the building is owned by the City and they cannot expand the building on either side.

Commissioner Swienton asked if Mr. Walker could foresee any problem with the restaurants or other businesses that might go in there, such as their hours of operation. Mr. Walker said that currently none of the businesses are open late and he does not think there will be any problems with other tenants' hours.

Commissioner Sale had noticed the steep drop off in the back of the property. He wondered if there was a lot of fill involved in the construction. Mr. Walker said not at all. Commissioner Sale's concern was with any possible erosion or spill into the Blackwater Creek area. He does not have any concern if the building is going to be used essentially the way it is currently.

Commissioner Coleman asked Mr. Martin if he had any concerns with their approving the change to the *FLUM*. Mr. Martin explained that staff has recommended approval of the *FLUM* amendment. It was intriguing to Mr. Martin why it would be designated for Resource Conservation when there are substantial buildings on the property. He sees no way where the property would revert back to a Resource Conservation use. He thinks that when the property was rezoned in 1988, the Walkers worked with the City and transferred the land that was not suitable for development to the City. That property may be suitable for Resource Conservation; this property is not logical for it to be designated as such.

Commissioner Swienton made a motion to approve the petitions as presented. Commissioner Sale seconded the motion. Commissioner Swienton thought the *FLUM* amendment is clearly cleaning up what he would interpret as being an incorrect designation on the *FLUM*. He feels there is adequate buffering around any potential residences. He does not see traffic as an issue. We are not looking at any expansion of physical space.

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Commissioner Swienton made a motion to approve the petitions as presented. Commissioner Sale seconded the motion. Commissioner Swienton thought the *FLUM* amendment is clearly cleaning up what he would interpret as being an incorrect designation on the *FLUM*. He feels there is adequate buffering around any potential residences. He does not see traffic as an issue. We are not looking at any expansion of physical space.

Chair Hamilton asked for clarification that Commissioners Swienton and Sale's motion is regarding the *FLUM* amendment. Commissioners Swienton and Sale said that was correct. Commissioner Coleman asked Ms. Andrusky if she was somewhat satisfied knowing that there is not going to be any expansion or that type of thing. She acknowledged that she was.

The motion made by Commissioner Swienton and seconded by Commissioner Sale was then voted on and passed by the following vote:

"That the Planning Commission recommends to City Council approval of George C. Walker, Jr. & Lynne R. Walker, FLLLP & William M. Walker's, petition to amend the *Future Land Use Map* from Resource Conservation use to Neighborhood Commercial use for one and twenty-nine hundredths (1.29) acres at 2050 Langhorne Road."

AYES:	Coleman, Hamilton, Sale and Swienton	4
NOES:		0
ABSTENTIONS:	Hooper	1
ABSENT:	Barnes and Coleman	2

Commissioner Swienton made the following motion, which was seconded by Commissioner Sale, and passed by the following vote:

"That the Planning Commission waives the twenty-one (21) day submittal requirements for proffers."

AYES:	Coleman, Hamilton, Sale and Swienton	4
NOES:		0
ABSTENTIONS:	Hooper	1
ABSENT:	Barnes and Coleman	2

Commissioner Swienton made the following motion, which was seconded by Commissioner Sale, and passed by the following vote:

"That the Planning Commission recommends to City Council approval of George C. Walker, Jr. & Lynne R. Walker, FLLLP & William M. Walker's, petition to rezone one and twenty-nine hundredths (1.29) acres from B-1C, Limited Business District (Conditional) to B-3C, Community Business District (Conditional), at 2050 Langhorne Road with the voluntarily submitted proffers."

AYES:	Coleman, Hamilton, Sale and Swienton	4
NOES:		0
ABSTENTIONS:	Hooper	1
ABSENT:	Barnes and Coleman	2

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 11, 2011**

AGENDA ITEM NO.: 7

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: *Future Land Use Map (FLUM) Amendment: Resource Conservation to Neighborhood Commercial*

Rezoning: B-1C, Limited Business District (Conditional) to B-3C, Community Business District (Conditional) at 2050 Langhorne Road

RECOMMENDATION: Approval of the *FLUM* amendment and rezoning petitions.

SUMMARY: George C. Walker, Jr. is petitioning to amend the *FLUM* from Resource Conservation to Neighborhood Commercial and to rezone one and twenty-nine hundredths (1.29) acres from B-1C, Limited Business District (Conditional) to B-3C, Community Business District (Conditional) at 2050 Langhorne Road. The purpose of the petitions is to allow the use of two existing buildings for light retail, general office and small restaurant uses, as well as uses permitted in B-1, Limited Business Districts and B-2, Local Neighborhood Business Districts.

The Planning Commission recommended approval of the *FLUM* amendment and rezoning petitions because:

- The Resource Conservation *FLUM* designation is not appropriate since two (2) four thousand (4000) square foot buildings currently exist on the property.
- B-3, Community Business District uses are currently established in the immediate area.
- The petition agrees with the *Zoning Ordinance* which permits a variety of office and light retail uses in a B-3, Community Business District.

PRIOR ACTION(S):

December 8, 2010: The Planning Division recommended approval of the proposed *FLUM* amendment and the rezoning petition.

The Planning Commission waived the twenty-one (21) day submittal requirement for proffers.

The Planning Commission recommended approval of the proposed *FLUM* amendment and the rezoning petition (4-0 with 2 members absent - Barnes and Hannon and 1 abstention - Hooper).

FISCAL IMPACT: None

CONTACT(S): Tom Martin, City Planner - 455-3900; Kent White, Director of Community Development – 455-3900

ATTACHMENT(S):

- Ordinance – FLUM Amendment
- Ordinance – Rezoning
- Planning Commission Report
- Rezoning Plan for 2050 Langhorne Road – November 4, 2010
- Project Description
- Proffers
- Speaker Sign Up Sheet – December 8, 2010
- Planning Commission Minutes – December 8, 2010
- Vicinity Map
- Future Land Use Map
- Watershed Location Map
- Property Photographs

REVIEWED BY: bms

ORDINANCE:

AN ORDINANCE AMENDING THE FUTURE LAND USE MAP FOR THE PROPERTY LOCATED AT 2050 LANGHORNE ROAD, FROM RESOURCE CONSERVATION TO NEIGHBORHOOD COMMERCIAL.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG, that in order to promote the public necessity, convenience, general welfare and good zoning practice that Chapter 35.1 of the Code of the City of Lynchburg, 1981, as amended, be and the same is hereby further amended by adding thereto Section 35.1-76.____, which section shall read as follows:

Section 35.1-76.____. Amend the Future Land Use Map for the subject property at 2050 Langhorne Road from Resource Conservation to Neighborhood Commercial.

The area embraced within the following boundaries . . .

BEGINNING AT AN IRON PIN SET (IPS), WHICH IS LOCATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF LANGHORNE ROAD APPROXIMATELY ONE-QUARTER MILE WEST OF ITS INTERSECTION WITH CLIFTON STREET AND WHICH IPS IS A COMMON CORNER WITH PROPERTY OWNED BY THE CITY OF LYNCHBURG, THENCE, ALONG SAID LINE OF LANGHORNE ROAD, NORTH 88 DEGREES 12 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 365.00 FEET TO AN IPS, WHICH IPS IS A COMMON CORNER WITH SAID PROPERTY OF THE CITY OF LYNCHBURG; THENCE, WITH SAID CITY PROPERTY, NORTH 01 DEGREES 47 MINUTES 48 SECONDS EAST FOR A DISTANCE OF 155.00 FEET TO AN IPS; THENCE SOUTH 88 DEGREES 12 MINUTES 12 SECONDS EAST FOR A DISTANCE OF 365.00 FEET TO AN IPS; THENCE SOUTH 01 DEGREES 47 MINUTES 48 SECONDS WEST FOR A DISTANCE OF 155.00 FEET TO AN IPS; TOGETHER WITH AND SUBJECT TO COVENANTS, EASEMENTS AND RESTRICTIONS OF RECORD, SAID PROPERTY CONTAINS 1.299 ACRES MORE OR LESS.

. . . is hereby amended on the Future Land Use Map from Resource Conservation to Neighborhood Commercial and the Director of Community Development shall forthwith cause the Future Land Use Map referred to in Section 35.1-4 of this chapter to be amended in accordance therewith.

Adopted:

Certified:

Interim Clerk of Council

004L01

AN ORDINANCE CHANGING A CERTAIN AREA LOCATED AT 2050 LANGHORNE ROAD FROM B-1C, LIMITED BUISESS DISTRICT (CONDITIONAL) TO B-3C, COMMUNITY BUSINESS DISTRICT (CONDITIONAL).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG that in order to promote the public necessity, convenience, welfare and good zoning practice that Chapter 35.1 of the Code of the City of Lynchburg, 1981, as amended, be and the same is hereby further amended by adding thereto Section 35.1-76.____, which section shall read as follows:

Section 35.1-76.____. Change of a certain area located at 2050 Langhorne Road from B-1C, Limited Business District (Conditional) to B-3C, Community Business District (Conditional).

The area embraced within the following boundaries . . .

BEGINNING AT AN IRON PIN SET (IPS), WHICH IS LOCATED ON THE NORTHERLY RIGHT-OF-WAY LINE OF LANGHORNE ROAD APPROXIMATELY ONE-QUARTER MILE WEST OF ITS INTERSECTION WITH CLIFTON STREET AND WHICH IPS IS A COMMON CORNER WITH PROPERTY OWNED BY THE CITY OF LYNCHBURG, THENCE, ALONG SAID LINE OF LANGHORNE ROAD, NORTH 88 DEGREES 12 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 365.00 FEET TO AN IPS, WHICH IPS IS A COMMON CORNER WITH SAID PROPERTY OF THE CITY OF LYNCHBURG; THENCE, WITH SAID CITY PROPERTY, NORTH 01 DEGREES 47 MINUTES 48 SECONDS EAST FOR A DISTANCE OF 155.00 FEET TO AN IPS; THENCE SOUTH 88 DEGREES 12 MINUTES 12 SECONDS EAST FOR A DISTANCE OF 365.00 FEET TO AN IPS; THENCE SOUTH 01 DEGREES 47 MINUTES 48 SECONDS WEST FOR A DISTANCE OF 155.00 FEET TO AN IPS; TOGETHER WITH AND SUBJECT TO COVENANTS, EASEMENTS AND RESTRICTIONS OF RECORD, SAID PROPERTY CONTAINS 1.299 ACRES MORE OR LESS.

... is hereby changed from B-1C, Limited Business District (Conditional) to B-3C, Local Neighborhood Business District (Conditional) subject to the conditions set out herein below which were voluntarily proffered in writing by the owner, namely George C. Walker, Jr., to wit:

1. The property is fully developed. This conditional rezoning applies only to potential uses and does not anticipate any new construction. The uses in this development shall be limited to light retail and general office; small restaurants with limited seating (no more than 25 seats) and primarily used for delivery or take-out; and all uses allowed in B-1, Limited Business District and B-2, Local Neighborhood Business District.
2. The following uses will not be allowed: convenience stores; boarding houses/lodging houses; group homes; halls or theatres; rooming houses; tourist homes or bed and breakfast; garden and farm supplies; greenhouses; supermarkets; hotels and motels; and auditoriums.
3. An appropriately sized grease interceptor will be installed if a restaurant tenant is secured.
4. If there are renovations or additions to the existing buildings a Reduced Pressure Zone (RPZ) device will be added to the domestic and fire water services to meet the City backflow prevention program requirements.

And the Director of Community Development shall forthwith cause the "Official Zoning Map of Lynchburg, Virginia," referred to in Section 35.1-4 of this chapter to be amended in accordance therewith.

Adopted:

Certified:

Interim Clerk of Council

004L02

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

To: Planning Commission

From: Planning Division

Date: December 8, 2010

Re: ***FUTURE LAND USE MAP AMENDMENT (FLUM):*** Resource Conservation to Neighborhood Commercial at 2050 Langhorne Road

REZONING: B-1C, Limited Business District (Conditional) to B-3C, Community Business District (Conditional) at 2050 Langhorne Road

I. PETITIONER

George C. Walker, Jr., 3211 Old Forest Rd., Lynchburg, VA 24501

Representative: George C. Walker, Jr., 3211 Old Forest Rd., Lynchburg, VA 24501

II. LOCATION

The subject property includes one (1) tract totaling one and twenty-nine hundredths (1.29) acres at 2050 Langhorne Dr.

Property Owners: Lynn R. & George C. Walker, Jr., FLLLP & William M. Walker

III. PURPOSE

The purpose of this petition is to allow light retail, general office; and small restaurant uses as well as all uses permitted in B-1, Limited Business District and B-2, Local Neighborhood Business District within two existing four thousand (4,000) square foot buildings.

IV. SUMMARY

- The petitioner proposes to amend the *Comprehensive Plan 2002-2020*'s *FLUM* designation for the subject properties from Resource Conservation to Neighborhood Commercial.
- Petition agrees with the *Zoning Ordinance* which permits a variety of office and light retail uses in a B-3, Community Business District.

The Planning Division recommends approval of the *FLUM* amendment and rezoning petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The *Comprehensive Plan 2002-2020* recommends Resource Conservation uses in this area. Resource Conservation (**page 5.2**) areas "encompass lands with special natural characteristics that make their preservation in open space particularly important to the City's environmental health. Resource Conservation areas are planned to remain in vegetated open space. The goal is to keep the Resource Conservation areas as natural as possible so as to stabilize slopes, prevent soil erosion, provide natural absorption areas for urban runoff, moderate climate, and provide wooded areas for wildlife and the respite of City dwellers."

The petitioner is requesting an amendment of the *FLUM* to provide for a Neighborhood Commercial (page 5.4) use. “These retail, personal service, and restaurant areas are sized and designed to 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. Neighborhood shopping centers meet the day-to-day needs of a limited residential trade area of 2,500 to 10,000 people and average about 50,000 square feet of space.”

Although the property is currently recommended for Resource Conservation use, the property was fully developed in 1990. As part of the original rezoning, the petitioner donated five and two tenths (5.2) acres to the City of Lynchburg as part of the Blackwater Creek Natural Area and added additional landscaping to the site to buffer the commercial buildings from the trail. The proposed *FLUM* amendment and B-3C, Community Business District zoning would permit the continued use of the property as a business center, as well as allow for light retail and small restaurants with limited seating (no more than 25 seats). Adjacent land uses are designated for Medium Density Residential, Institutional, Public Parks, and Office by the *FLUM*. The property is located about ½ mile west of the Plaza/Midtown Revitalization Area. Adjacent zoning includes R-C, Resource Conservation zoning on three sides of the property and R-4, Medium-High Density Multi-Family Residential zoning on the opposite side of Langhorne Road from the property; B-1 Limited Business and B-3 Community Business zoning is located on either side of the property along Langhorne Road near its intersection with Hill Street and Clifton Street, respectively.

2. **Zoning.** The subject property was annexed into the City in 1926 and zoned R-C, Conservation in 1978 with the adoption of the *Zoning Ordinance*. The existing B-1C, Limited Business District (Conditional) zoning was established on October 11, 1988 with approval of the rezoning by City Council.
3. **Proffers.** The petitioner voluntarily submitted the following proffers with the rezoning application:
 1. The property is fully developed. This conditional rezoning applies only to potential uses and does not anticipate any new construction. The uses in this development shall be limited to light retail and general office; small restaurants with limited seating (no more than 25 seats) and primarily used for delivery or take-out; and all uses allowed in B-1, Limited Business District and B-2, Local Neighborhood Business District.
 2. The following uses will not be allowed: convenience stores; boarding houses/lodging houses; group homes; halls or theatres; rooming houses; tourist homes or bed and breakfast; garden and farm supplies; greenhouses; supermarkets; hotels and motels; and, auditoriums.
 3. An appropriately sized grease interceptor will be installed if a restaurant tenant is secured.
 4. If there are renovations or additions to the existing buildings a Reduced Pressure Zone (RPZ) device will be added to the domestic and fire water services to meet the City backflow prevention program requirements.
4. **Board of Zoning Appeals (BZA).** The Zoning Official has determined that no variances would be 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 January 12, 2010 City Council approved Holy Cross Regional Catholic School’s petition for a Conditional Use Permit (CUP) for a comprehensive sign plan that would replace an existing sign with a monument style sign and a digital reader board in an R-4, Medium-High Density Multi-Family Residential District at 2125 Langhorne Road.

- On November 12, 2002, City Council approved Holy Cross School/Tabor Retreat Center's petition for a CUP to allow the construction of a building and parking lot additions in an R-4, Medium-High Density Multi-Family Residential District at 2125 Langhorne Road.
 - On June 11, 1996, City Council approved Beach Medical's petition to rezone two and three tenths (2.3) acres from B-1C, Limited Business District (Conditional) to B-3C, Community Business District (Conditional) to allow for the operation of an office with medical equipment sales, service, and rentals at 2092 Langhorne Road.
 - On August 8, 1995, City Council approved Avante' of Lynchburg's petition for a CUP to allow the expansion of a nursing home and additional parking spaces facilities in an R-4, Medium-High Density Multi-Family Residential District at 2081 Langhorne Road.
 - On October 12, 1993, City Council approved Giles, Cox and Associates' petition to rezone six and fifty-four hundredths (6.54) acres from R-4, Medium-High Density Multi-Family Residential District to B-1C, Limited Business District (Conditional) to allow for the construction of two (2) office buildings at 2102 Langhorne Road.
 - On February 9, 1993, City Council approved Holy Cross School's petition for a CUP to allow the installation of a modular classroom unit in an R-4, Medium-High Density Multi-Family Residential District at 2125 Langhorne Road.
 - On September 12, 1989, City Council approved Howard Terry's petition to rezone four and one half (4.5) acres from R-3, Two Family Residential District to B-1C, Limited Business District (Conditional) to allow for the construction of two office buildings at 2092 Langhorne Road.
 - On November 10, 1987, City Council approved Holy Cross School's petition for a CUP to allow the use of an existing building, to be used as a religious retreat center in an R-4, Medium-High Density Multi-Family Residential District at 2125 Langhorne Road.
 - On November 13, 1984, City Council approved Holy Cross School's petition for a CUP to allow the construction of an amphitheatre and two tennis courts in an R-4, Medium-High Density Multi-Family Residential District at 2125 Langhorne Road.
 - On June 14, 1983, City Council approved Holy Cross School's petition for a CUP for to allow the addition of classrooms in an R-4, Medium-High Density Multi-Family Residential District at 2125 Langhorne Road.
 - On May 11, 1982, City Council approved The Alexander Partnership's petition to rezone three and twenty-two hundredths (3.22) acres from B-3C, Community Business District (Conditional) to B-1C, Limited Business District (Conditional) to modify the existing proffers and allow for a medical office at 2104 Langhorne Road.
 - On October 14, 1980, City Council approved Lloyd Flint, Harold Templeton, Orton Templeton, and Charles Alty's petition to rezone one (1) acre from B-2, Local Neighborhood Business to B-3C, Community Business District (Conditional) to allow the operation of a convenience store with gas sales at 2023 Langhorne Road.
 - On August 12, 1980, City Council approved Gary Case's petition to rezone three and twenty-two hundredths (3.22) acres from B-1, Limited Business District to B-3C, Community Business District (Conditional) to allow for a restaurant at 2104 Langhorne Road.
6. **Site Description.** The subject property is currently developed and includes two (2) existing buildings and associated parking. The property is bound to the north, east, and west by Blackwater Creek Natural Area, and to the south by vacant forestal land and the Agudath Sholom of Lynchburg (religious institution).

7. **Proposed Use of Property.** The petition would allow the use of two (2) existing four thousand (4,000) square foot commercial buildings, for light retail shops and small restaurants with no more than twenty-five (25) seats, in addition to the office and service uses currently permitted. The proposed uses would have no impact to the existing site layout; the only proposed change would be the installation of a grease interceptor if a restaurant tenant opens in the building.
 8. **Traffic, Parking and Public Transit.** The vehicle trip threshold for the proposed uses are less than the five hundred (500) daily trips and the fifty (50) peak hour trips that would warrant a traffic study. The City's Transportation Engineer had no concerns about the proposed *FLUM* amendment or rezoning petition.

Parking requirements for the proposed development are defined based on use within the City's *Zoning Ordinance*. The proposed restaurant use may alter parking calculations, but since portions of the buildings are currently vacant, there is availability for the increased parking requirements associated with restaurant uses (one (1) space per four (4) persons of the rated capacity, plus one (1) space for each three (3) employees on duty). The concept plan provides for forty-two (42) total parking spaces, plus one (1) handicap parking space.

Public transit service is currently not available to the site. Greater Lynchburg Transit Company's Route 11 runs along Langhorne Road, with a bus stop located approximately two thousand, five hundred (2,500) feet from the proposed development. However, the access to that stop is not connected by any pedestrian features and is a considerable distance from the site.
 9. **Stormwater Management.** The project would not include physical changes to the site that would exceed the one thousand (1,000) square foot threshold for stormwater management; as such, a plan to address the quantity of quality of surface water runoff is not required.
 10. **Emergency Services.** The City's Fire Marshal had no concerns about the proposed *FLUM* amendment or rezoning petition.

The City Police Department had no concerns about the proposed *FLUM* amendment or rezoning petition.
 11. **Impact.** The site includes existing utilities, parking and landscaping to allow the seamless addition of uses into the existing buildings. The City's Transportation Engineer, Environmental Reviewer, Fire Marshal, and Crime Prevention Specialist had no concerns regarding the proposed petition and the change in this development would allow the property owner to seek new businesses to place within the vacancies of the existing buildings with little noticeable change to the property.
 12. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on November 8, 2010. Comments related to the proposed use were minor in nature and have been addressed by the applicant.
-

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of George C. Walker, Jr. & Lynne R. Walker, FLLLP & William M. Walker's, petition to amend the *Future Land Use Map* from Resource Conservation use to Neighborhood Commercial use for one and twenty-nine hundredths (1.29) acres at 2050 Langhorne Road.

The Planning Commission waives the twenty-one (21) day submittal requirements for proffers.

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of George C. Walker, Jr. & Lynne R. Walker, FLLLP & William M. Walker's, petition to rezone one and twenty-nine hundredths (1.29) acres from B-1C, Limited Business District (Conditional) to B-3C, Community Business District (Conditional), at 2050 Langhorne Road with the voluntarily submitted proffers.

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 White, Director of Community Development
Mr. J. Lee Newland, City Engineer
Ms. Cynthia Kozerow, Lynchburg Police Department
Battalion Chief Greg Wormser, Fire Marshal
Mr. Gerry Harter, Transportation Engineer
Mr. Doug Saunders, Acting Building Commissioner
Mr. Robert Fowler, Zoning Administrator
Mr. Erin Hawkins, Environmental Reviewer
Mr. George C. Walker, Jr., Property Owner/Applicant

VII. ATTACHMENTS

- 1. Vicinity Zoning Pattern**
- 2. Vicinity Proposed Land Use**
- 3. Watershed Location Map**
- 4. Concept Plan**
- 5. *FLUM* Amendment Narrative**
- 6. Proffers**
- 7. Photos**

JAMES RIVER PROFESSIONAL BUILDING

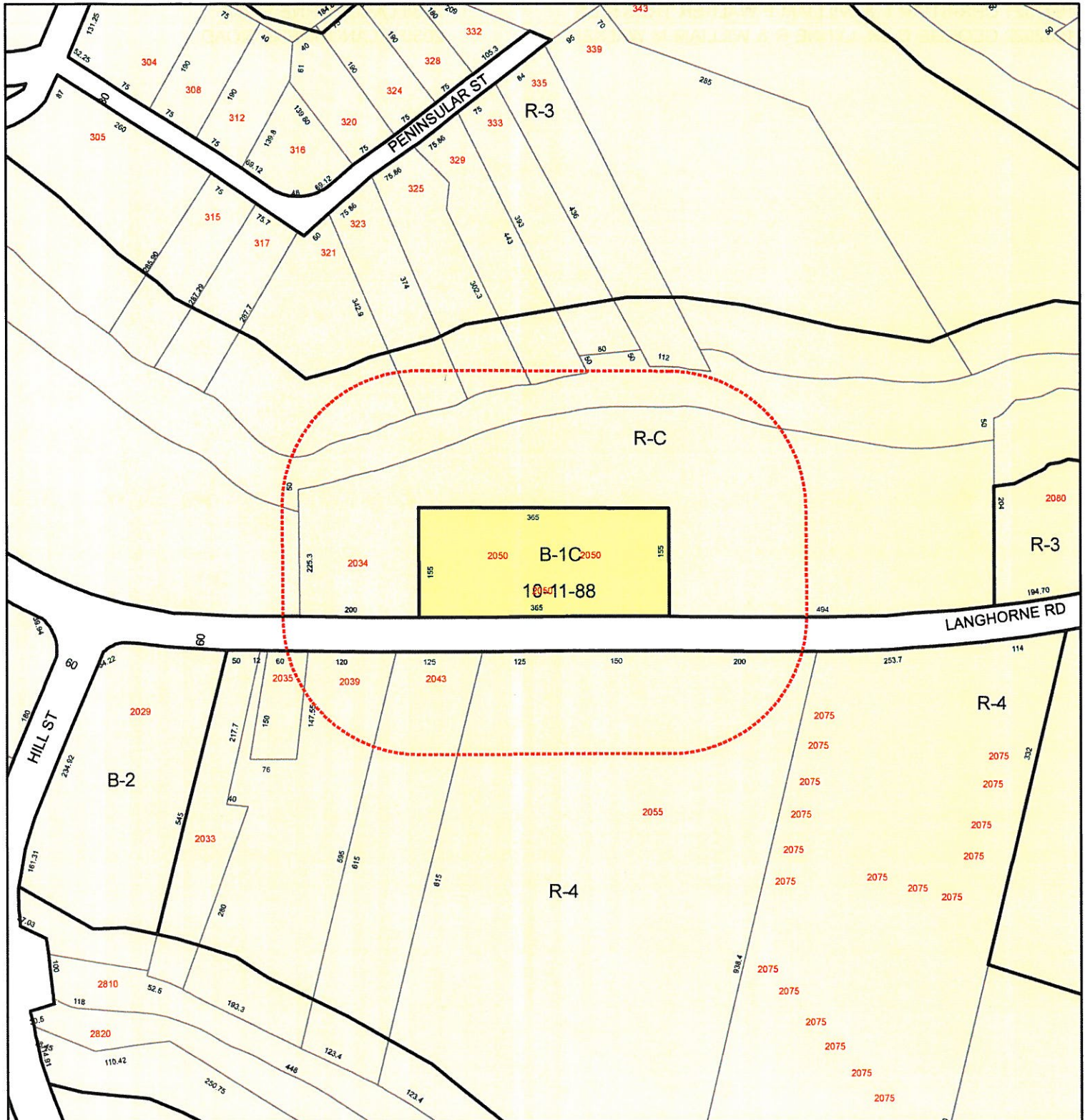
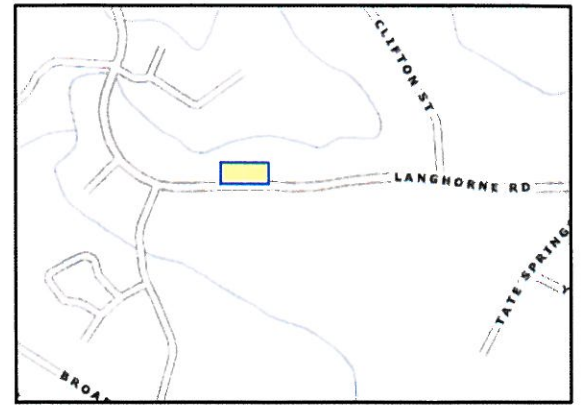
Rezoning from B-1C to B-3C

2050 Langhorne Road

Petitioner - George C. Walker, Jr.

 Subject Property

 200 Foot Buffer



John Stewart **WALKER** INC.

November 23, 2010

Kent White
Senior Planning for City of Lynchburg
900 Church Street, Suite 100
Lynchburg, VA 24504

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NOV 23 2010

COMMUNITY
DEVELOPMENT

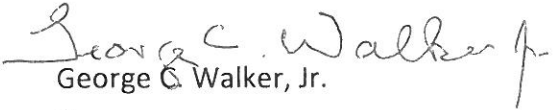
Dear Mr. White:

This will serve as a narrative for rezoning of property at 2050 Langhorne Road from existing B-1 conditional to B-3 conditional.

This is an existing office building that was built in 1989 and no changes or improvements will be made on this building.

Enclosed are 15 revised copies as requested of the site plan.

Kindest regards,


George C. Walker, Jr.
Owner

3211 Old Forest Road
Lynchburg, VA 24501
434-385-6655
Fax 434-385-7755
www.johnstewartwalker.com



Proffers For Conditional Rezoning of Property
At 2050 Langhorne Road

1. This property is fully developed. This conditional rezoning applies only to potential uses and does not anticipate any new construction. The uses in this development shall be limited to light retail and general office; small restaurants with limited seating (no more than 25 seats) and primarily used for delivery or take-out; and all uses allowed in B-1 and B-2.
2. The following uses will not be allowed: convenience stores; boarding houses and lodging houses; group homes; halls or theaters; rooming houses; tourist homes or bed and breakfast homes; garden and farm supplies; greenhouses; supermarkets; hotels and motels; and auditoriums.
3. An appropriately sized grease interceptor will be installed if a restaurant tenant is secured.
4. If there are renovations or additions to the existing buildings a Reduced Pressure Zone (RPZ) device will be added to the domestic and fire water services to meet the City backflow prevention program requirements.

Respectfully Submitted,

George C. Walker, Jr. & Lynne R. Walker, FLLLP, Owner

George C. Walker, Jr.
By: George C. Walker, Jr., Manager

11/23/10
Date

AND

William M. Walker, Owner

William M. Walker
William M. Walker

11/23/10
Date

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NOV 23 2010

COMMUNITY
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MINUTES FROM THE DECEMBER 8, 2010 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED. THERE WAS NO MEETING ON DECEMBER 22, 2010):

- b. Petition of Robert Crocker to amend the *Future Land Use Map* from a Low Density Residential and Medium Density Residential to Regional Commercial and to rezone 3.21 acres from B-1C, Limited Business District (Conditional) to B-3C, Community Business District (Conditional) to allow the use of the existing buildings as a hotel-motel and the use of the property as a restaurant/banquet facility at 2134 Old Forest Road.**

Mr. Martin explained that this property (also known as Acorn Hill) has been before the Planning Commission and City Council several times over the years. Mr. Crocker originally had a conditional use permit from the Board of Zoning Appeals to do massage therapy at the location. He later came in to do a bed and breakfast and obtained a conditional use permit. Increasing the number of rooms required a rezoning of the property in 1998 and again in 2004 when substantial improvements were made to the property. At this time, Mr. Crocker is requesting to rezone to B-3C primarily to do a few more uses on the property that are really in conjunction with the bed and breakfast. The *Zoning Ordinance* limits the number of rooms for a bed and breakfast and increasing the number of rooms really puts it more into a hotel/motel use. The rezoning would also allow a restaurant type use for the property.

The *FLUM* does recommend Low Density and Medium Density Residential. The request is to go to Regional Commercial. However, this is another instance where the property was zoned for commercial before the *FLUM* was adopted but still remains designated for residential uses. *FLUM* amendments need to be looked at on their own merits. You have to look at the existing uses, as well as the surrounding uses. Mr. Martin mentioned that Mr. Crocker did hold a neighborhood meeting that was well attended.

Stormwater management will exceed the threshold required to do a plan but since the expansion is below 5,000 square feet, stormwater management issues can be handled by additional landscaping. The City's Transportation Engineer, Fire Marshal and Crime Prevention Specialist had no comments or concerns. The Planning Division does recommend approval of both the *FLUM* amendment and rezoning petitions.

Mr. Robert Crocker came forward to represent the petition. Mr. Crocker explained that Acorn Hill has grown over the years. People like to stop by and have breakfast. He also works closely with Lynchburg College. Mr. Crocker tries to meet all the requirements in everything he does on the property.

Mr. Crocker would like to have a small banquet facility. The addition will square up his building and will be a beautiful addition. Right now, every event they have has to be outside. He would like to use the banquet hall for family reunions or weddings. He works closely with funeral homes as well. Sometimes family members gather in his lobby. If there are more than ten or fifteen people, it gets crowded. He would like to have a small restaurant. There used to be a small restaurant down the street and now people seem to be gathering at his place. He does not mind serving them breakfast but he would like to be able to charge them for it. He would also like the possibility of having a Sunday brunch. If there is an event, the restaurant would turn into the banquet hall.

He would also like to add some additional rooms over the banquet hall. The salon is closing due to illness of the person who has been running it. He might like to convert some of the salon into lodging areas. He would like to downsize the spa and salon. He is asking for approximately 15 to 16 rooms. Mr. Crocker mentioned that he was just voted Lynchburg Guide's best bed and breakfast in town. He tries to have a very nice place.

Chair Hamilton asked for anyone else who wished to speak in favor of the petition. Ms. Edith Barley of 2001 Roxbury Street came forward to speak. She is a close neighbor of the Crockers. She wanted to

say that the property is one of the prettiest places she has ever seen and the Crockers are wonderful neighbors.

Mr. Steve Driskill lives directly across from the property and came forward to speak. He can speak in favor of the general petition but does have concerns. He would like to see the signs and lighting down the driveway remain substantially the way they are now. He is opposed to the public restaurant but he can speak in favor of all other aspects of the proposal.

Chair Hamilton asked for anyone else who wished to speak in favor of this petition. No one came forward. She asked for anyone else who wished to speak in opposition to the petition. No one came forward. She asked Mr. Crocker to come back and address Mr. Driskill's concerns.

Mr. Crocker said he will be working with Mr. Driskill to make sure that there is no large sign or direct lighting onto Mr. Driskill's property. He has worked with Mr. Driskill in the past in regard to the lighting. Mr. Crocker has plans for a different sign but it will be in accordance with the sign ordinance. Mr. Crocker tries to attend to every neighbor's concerns and get their point of view.

As far as the restaurant is concerned, he would like to have that for when people from Lynchburg College come over and he has a banquet party that he can serve the banquet party and charge them. Guests like to have family and friends over as well.

Chair Hamilton asked Mr. Driskill if he would like to come back to comment. Mr. Driskill asked if they understand his concerns. Chair Hamilton said they do and they will try and get them answered. Chair Hamilton closed the public hearing portion of the petition.

Chair Hamilton asked Mr. Crocker to clarify the details of the restaurant in terms of how many meals they will serve and how many people. Mr. Crocker said it will be like the Home Place restaurant in Roanoke, which is open Thursday through Sunday. The same restaurant room will be used for the banquet hall. He currently has only 12 seats for guests and has to feed guests in shifts or seat them in the lobby. The public seems to stop in as well. The restaurant would be open in the evening as well Thursday through Sunday.

Commissioner Sale said the restaurant itself is kind of a quasi restaurant because sometimes it will be used for banquets and will not be open to the public. Commissioner Sale asked about the amount of seating. Mr. Crocker said they are asking for seating for 30 people at the most. Mr. Crocker mentioned that the restaurant will help sustain him as the lodging needs go up and down.

Chair Hamilton asked Mr. Martin if the current signs comply with the sign ordinance or are grandfathered. Mr. Martin said they were up before the current sign ordinance but thinks they would comply with a B-3 zoning, B-1 is questionable. Mr. Martin would like to clarify the numbers that have been mentioned. The proffered site plan indicates 17 rooms and a 25-seat restaurant.

Commissioner Hooper asked for clarification that the restaurant is more of a catering business--catering to events, meetings and guests that are staying at the bed and breakfast. It is not so much for the public walking in off the street. Mr. Crocker said that is correct.

Commissioner Swienton asked for clarification from Mr. Martin that there would be nothing preventing Mr. Crocker from opening up a full public restaurant. Mr. Martin said that is correct. The only limit would be the number of seats.

Commissioner Swienton asked about the required landscape buffer between Acorn Hill and Mr. Charles Walker's property next door, which is zoned R-2. Mr. Martin stated that between a commercial and a conforming residential use, there is a 50-foot setback and a double staggered row of

evergreen trees four foot in height, ten foot on center with a two-foot shrub. That is not shown on the concept plan but would have to be shown on the site plan submitted for final approval. Commissioner Swinton is concerned with making sure there is an adequate buffer for Mr. Walker for any late night events that may occur. Mr. Crocker mentioned that this is the third time he is going through this process. It has been brought up every time to put in a row of cypress trees and Mr. Walker protests every time. Mr. Crocker will put it on the site plan but Mr. Walker does not want any trees put between his property and Mr. Crocker's property.

Commissioner Swinton asked what the hours would be for an evening event. Mr. Crocker said they would end at 9:00 p.m. He tries to shut everything off at 9:00 p.m. and everyone should be gone by 10:00 p.m.

Chair Hamilton asked Mr. Martin for clarification that stormwater management would be handled by additional landscaping. There is already a stormwater detention pond. Mr. Martin said that is correct, since the proposed addition falls below the 5,000 square foot threshold. It will be primarily water quality that needs to be addressed. The preliminary review of the receiving channel is adequate.

Commissioner Hooper made the following motion, which was seconded by Commissioner Sale:

"That the Planning Commission recommends to City Council approval of Robert D. Crocker's petition to amend the *Future Land Use Map* from Low Density Residential and Medium Density Residential to Regional Commercial for three and eighty-four hundredths (3.84) acres at 2134 Old Forest Road."

Commissioner Hooper thinks that the plan is a good plan. Obviously, the *FLUM* needs to be amended to conform to the use of the property. He thinks the amendment is appropriate.

Commissioner Sale thinks there has been a significant attempt to accommodate the neighbors. He notices that there is a lot of access from various directions other than Old Forest Road. This indicates to him a place that has been there for a while and has established a relationship with the community and the City. He thinks this is a very interesting idea and that is useful to the community to have this kind of flexible arrangement. He thinks it is an interesting business model also. He particularly appreciates the relationship with Lynchburg College. The extension of what Mr. Crocker is suggesting makes sense to Commissioner Sale.

Commissioner Swinton commented that a lot of times we have to navigate the line between encouraging businesses to grow and at the same time protecting residences from any encroachment on their lifestyle. He thinks this is a good example of something that started off small and has grown to a much larger business venture. The City wants to encourage businesses to grow. He has given some thought to if the plan presented today was originally presented back in 1996, would it have been approved? He does not know. He thinks the nature of this is okay for an area that is surrounded by residences. He thinks the nature of the events and the restaurant will lend them to being neighborhood friendly and not like some other type of commercial ventures that might be open almost 24 hours a day.

Commissioner Coleman agrees with what the other commissioners have said. Commissioner Coleman thinks the kind of community spirit demonstrated by this establishment and its neighbors is very refreshing. The commission is trying to take every precaution to remain in compliance with our *Comprehensive Plan* but there are times where we can promote business interests in this way. He feels this is an appropriate use for the property and commended Mr. Crocker for his most recent accomplishment.

Chair Hamilton agrees with the comments made. She is not sure if this would have been approved in earlier years in its present form. Incremental growth is probably not a bad thing when you are nested in

a residential area. The sign ordinance should address Mr. Driskill's concerns and she is sure Mr. Crocker will continue to be a good neighbor.

The motion passed by the following vote:

AYES:	Coleman, Hamilton, Hooper, Sale and Swienton	5
NOES:		0
ABSTENTIONS:		0
ABSENT:	Barnes and Coleman	2

Commissioner Hooper made the following motion, which was seconded by Commissioner Sale:

"That the Planning Commission waives the twenty-one (21) day submittal requirement for proffers."

AYES:	Coleman, Hamilton, Hooper, Sale and Swienton	5
NOES:		0
ABSTENTIONS:		0
ABSENT:	Barnes and Coleman	2

Commissioner Coleman made the following motion, which was seconded by Commissioner Sale:

"That the Planning Commission recommends to City Council approval of Robert Crocker's petition to rezone three and eighty-four hundredths (3.84) acres from B-1C, Limited Business District (Conditional) to B-3C, Community Business District (Conditional) at 2134 Old Forest Road, with the voluntarily submitted proffers."

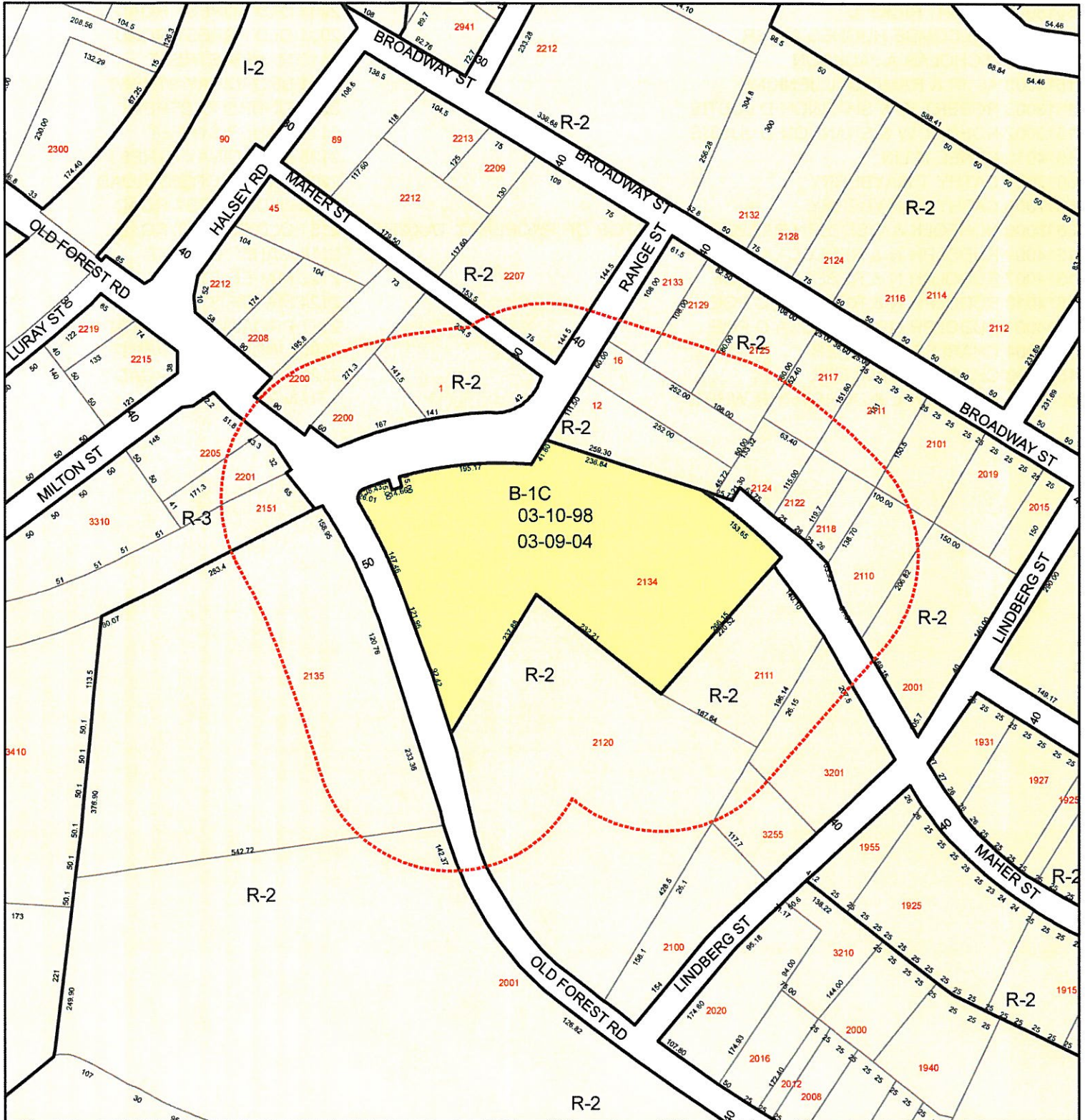
AYES:	Coleman, Hamilton, Hooper, Sale and Swienton	5
NOES:		0
ABSTENTIONS:		0
ABSENT:	Barnes and Coleman	2

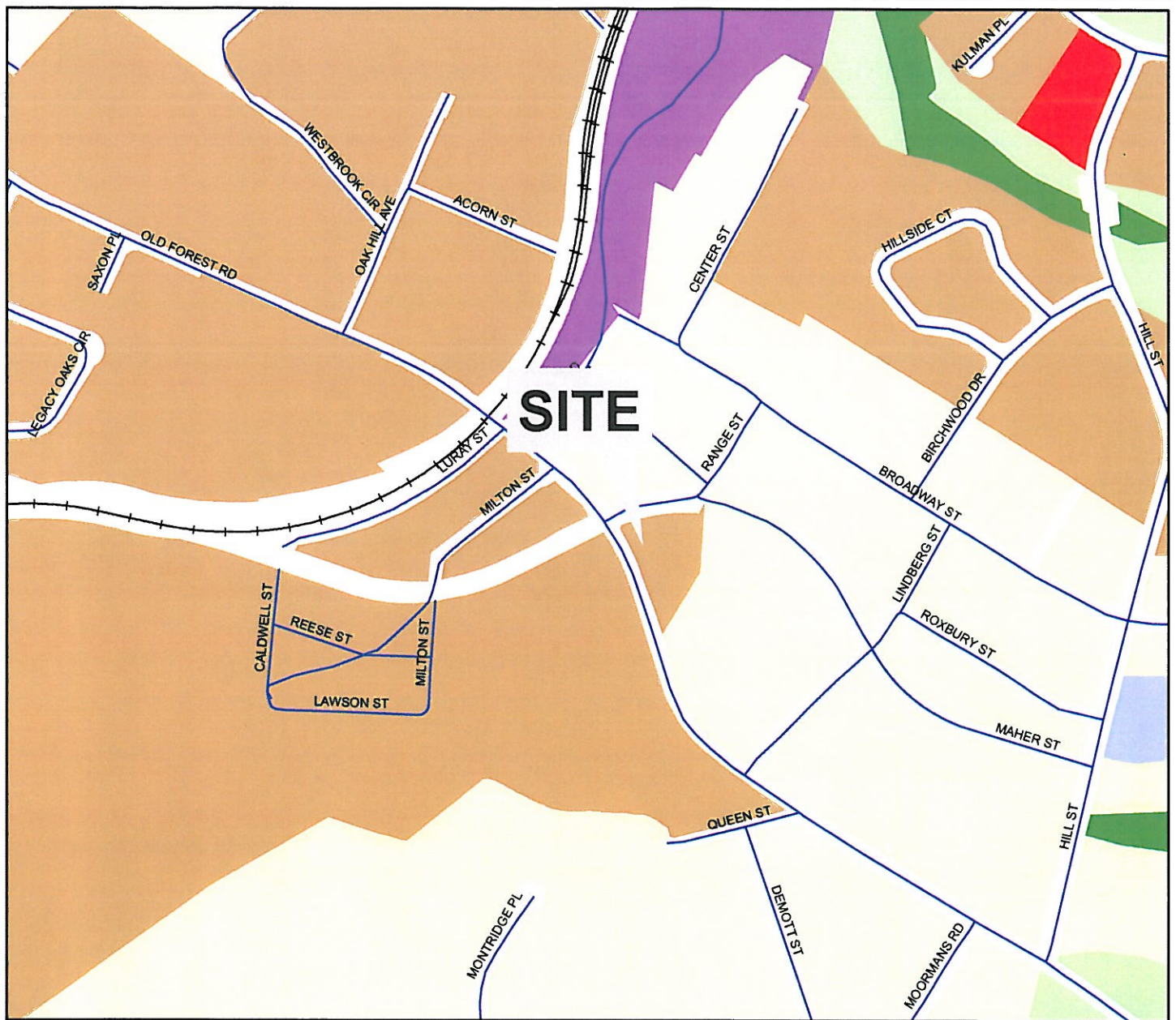
ACORN HILL

Rezoning from B-1C to B-3C

2134 Old Forest Road
Petitioner - Robert Crocker

-  Subject Property
-  200 Foot Buffer





- 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
- Residential Mixed Use
- General Mixed Use
- Employment Mixed Use

ACORN HILL

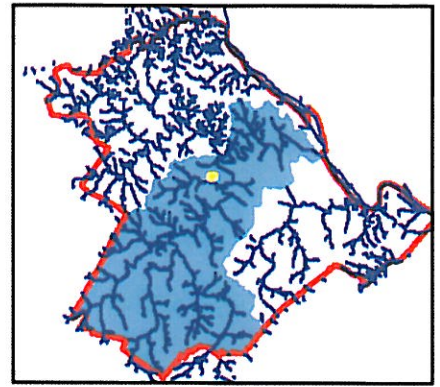
2134 OLD FOREST ROAD

LAND USE PLAN



Acorn Hill Watershed Location Map

-  Project Site
-  Blackwater Creek
-  Base Flood Elevation
-  FloodzoneA
-  FloodzoneAE
-  Corporate Limit





Back lot – Range Street



Parking area – front of salon building

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Back Lot – Range Street adjacent to Poe Property – right side



Back Lot – Range Street adjacent to Poe Property – left side



View from salon parking area toward Old Forest Road entrance



View from Maher Street toward spa/salon parking and left side of lodge



Range Street empty lot



Range street empty lot



Driveway to back of lodge and spa/salon building



Drive-up area to terrace level (left) and driveway to back of buildings (right)



Lodge parking in front of lodge building



Hillside in front of lodge building



Steps to upper level from patio



Patio area



Right/back side of lodge building



Rear driveway and parking pad – back right side of lodge building



Spa and Salon Building



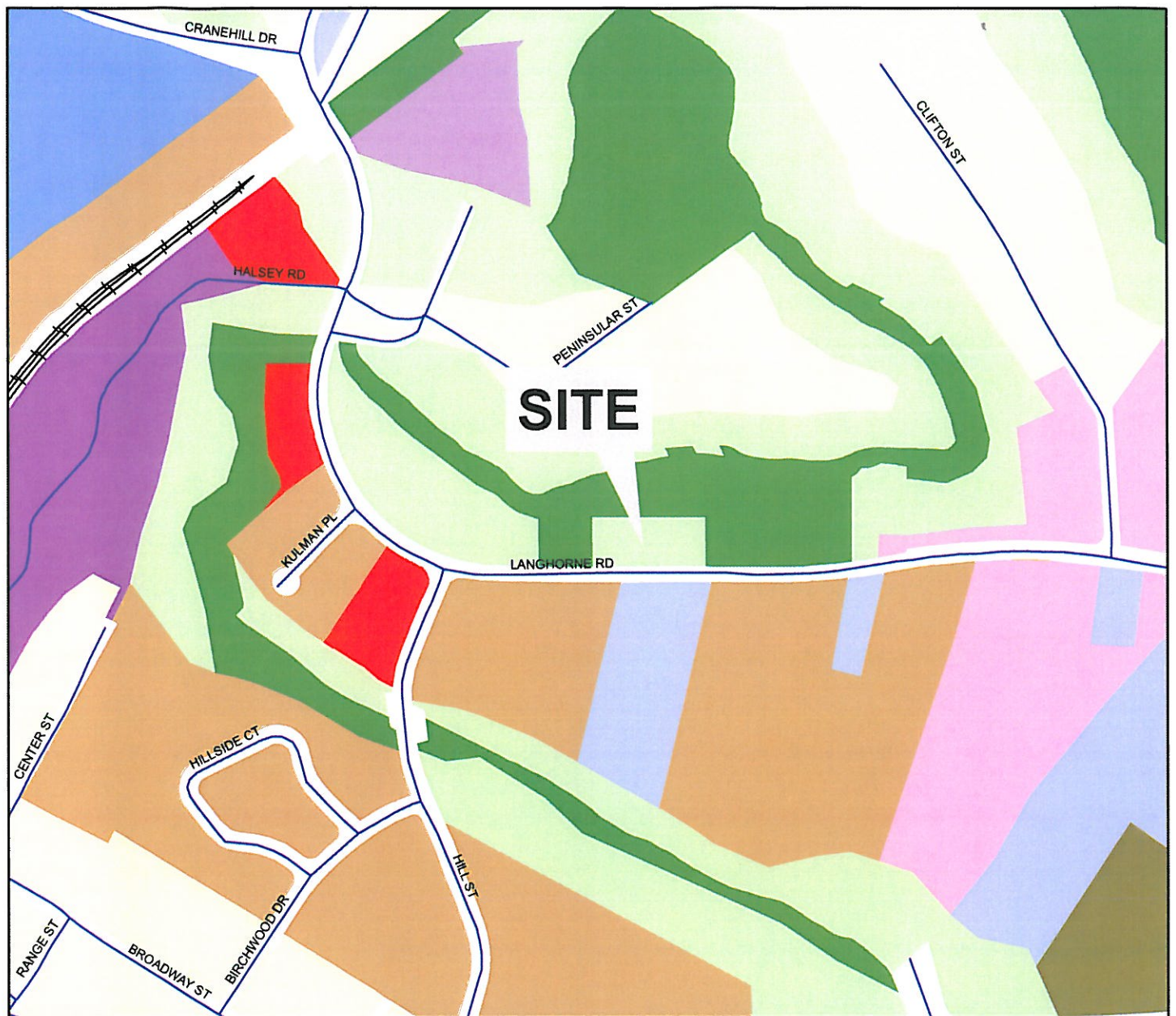
Spa and Salon Building



Lodge Building



Spa and Salon Building – left side
Lodge Building – right side



-  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
-  Residential Mixed Use
-  General Mixed Use
-  Employment Mixed Use

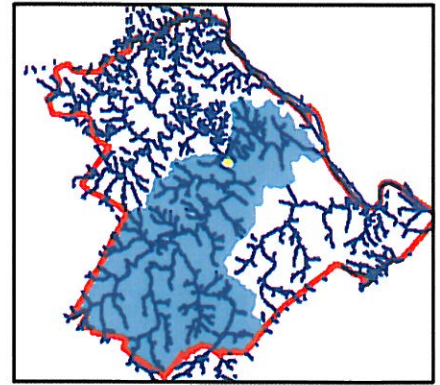
JAMES RIVER PROFESSIONAL BUILDING 2050 LANGHORNE ROAD LAND USE PLAN



The James River Professional Building

Watershed Location Map

-  Project Site
-  FloodzoneA
-  Blackwater Creek
-  Corporate Limit





29 2:57PM



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DEVELOPMENT

CITY OF LYNCHBURG
PID: 01602049
ZONED: R-C

S88°12'12"E 365.00'

PID: 01602022
1.299 AC.

8 SPACES

GRAVEL DRIVE & PARKING

100'

#2050A

1 STORY BRICK BUILDING
(± 4000 SQ.FT. FOOTPRINT)

100'

#2050B

1 STORY BRICK BUILDING
(± 4000 SQ.FT. FOOTPRINT)

6 SPACES

PRIVATE SEWER
SERVICE

PAVED PARKING
28 REGULAR SPACES
1 HANDICAP SPACE

EXISTING CITY OF LYNCHBURG
SANITARY SEWER

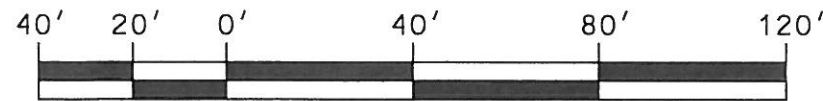
± 485' TO HILL STREET

ACCELERATION LANE

N88°12'12"W 365.00'

LANGHORNE ROAD
(VARIABLE WIDTH R/W)

TURN LANE



BAR SCALE: 1" = 40'

NOTES:

1. THIS PROPERTY IS CURRENTLY FULLY DEVELOPED. IT IS ANTICIPATED THAT THERE WILL BE NO EXTERIOR CHANGES AS A RESULT OF THIS REZONING AND THAT THE ONLY CHANGES WOULD BE INTERIOR REMODELING TO ACCOMMODATE SPECIFIC TENANTS.
2. BY GRAPHIC SCALING ONLY, THIS PROPERTY IS LOCATED IN ZONE "X" (NOT IN A DESIGNATED FLOOD AREA) ACCORDING TO THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR THE CITY OF LYNCHBURG (#5100930041D) DATED JUNE 3, 2008. NO FIELD SURVEYING WAS PERFORMED TO MAKE THIS DETERMINATION.
3. THIS PLAT DOES NOT PURPORT TO ADDRESS THE EXISTENCE, DETECTION OR DELINEATION OF ANY ENVIRONMENTALLY SENSITIVE AREAS OR ANY ENVIRONMENTAL PROBLEMS LOCATED WITHIN THE PERIMETER OF THE PROPERTY SHOWN.
4. THIS PLAN IS A REPRODUCTION OF A PORTION OF AN APPROVED SITE PLAN FOR THE SUBJECT PROPERTY, ENTITLED "SITE PLAN: FOR GEROGE C. WALKER", DATED 12-14-88 BY BERKLEY-HOWELL & ASSOCIATES. NONE OF THE DATA SHOWN HEREON IS THE RESULT OF A CURRENT FIELD SURVEY.
5. ALL EXTERIOR LIGHTING SHALL BE NON-DIRECTIONAL, GLARE SHIELDED AND DIRECTED AWAY FROM ADJACENT ROADS AND PROPERTY.
6. A SIGN PERMIT MUST BE OBTAINED PRIOR TO THE PLACEMENT OF ANY SIGNS.

OWNERS: GEORGE C. WALKER, JR. & LYNNE R. WALKER, FLLLP
AND WILLIAM M. WALKER
4216 HILTON PLACE
LYNCHBURG, VA 24503

SOURCE OF TITLE: DEED BOOK 1088, PAGE 18

CURRENT ZONING: B-1 CONDITIONAL (CURRENT USE: OFFICE)

PROPOSED ZONING: B-3 CONDITIONAL (PROPOSED USE: PERMITTED B-3 USES)

PARKING: 42 SPACES + 1 HANDICAP SPACE
(PER ORIGINAL SITE PLAN)

BERKLEY-HOWELL & ASSOC., P.C.

ENGINEERS - SURVEYORS - PLANNERS

306 ENTERPRISE DRIVE, SUITE C

FOREST, VIRGINIA 24551

PHONE: (434)385-7548

FAX: (434)385-6178

SCALE: 1" = 40'

DATE: NOVEMBER 4, 2010

REZONING SITE PLAN

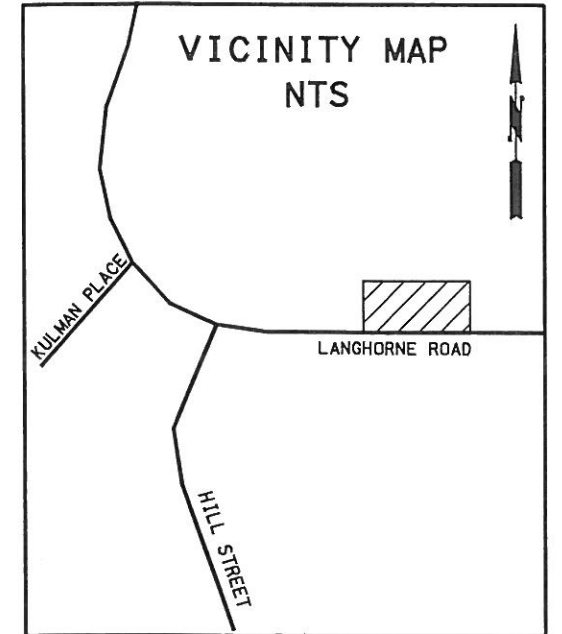
#2050 LANGHORNE ROAD

CITY OF LYNCHBURG, VIRGINIA

COMM. NO. 100164

F.B. REF.

REF. 88110



12/17/10

Mr. Chambers,

I would like to appear before council to address the procedure implemented by the City in the fees related to personal property taxes. I would like to appear at the January 11, 2011 meeting.

Thank You,

- Carlos Hotcherson
917 Taylor st
Lynchburg, VA 24504
434-401-4066

DEC 17 2010

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **January 11, 2011**

AGENDA ITEM NO.: 9

CONSENT: REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: Designation of the entire City of Lynchburg as a Technology Zone

RECOMMENDATION: Adopt an ordinance to designate the entire City of Lynchburg as a Technology Zone, adopt Technology Zone incentives and streamline City Code by creating a chapter specific to the Technology Zone.

SUMMARY: Designating the entire City of Lynchburg as a Technology Zone and targeting incentives for technology-based businesses provides several critical benefits to the City. Firms that utilize state-of-the-art technology in manufacturing processes, conduct technology-based research and development or provide technology-based services constitute industry sectors noted for high rates of growth, investment and employment expansion as well as high-wage jobs. Economic trends indicate that high-tech industry sectors will be the cornerstones of the future economy, and the City of Lynchburg can position itself ahead of these trends by attracting new high-tech firms and encouraging the expansion of existing high-tech businesses.

Creating a City-wide Technology Zone and targeting incentives to high-tech industries also maintains Lynchburg's regional and state-wide competitiveness in these key industry sectors. More than 25 localities in the Commonwealth of Virginia have a locality-wide technology zone and/or incentives specific to high-tech industries. Several of our neighboring cities actively target these industry sectors, and it is critical for Lynchburg to maintain its competitive edge.

Beyond the obvious economic benefits of cultivating a base of high-growth, high-wage industries, the creation of a City-wide Technology Zone provides intangible rewards as well. The City of Lynchburg and Lynchburg businesses have recently received several technology-specific accolades; Lynchburg is essentially becoming organically branded as a center for high-tech industries in the Commonwealth. Creation of a City-wide Technology Zone allows us to maintain and further capitalize on that marketing momentum.

PRIOR ACTION(S): On March 26, 2002, City Council adopted a resolution creating two technology zones encompassing downtown and the Lynchpin Industrial Park, and authorizing certain incentives for businesses locating within the zones.

FISCAL IMPACT: The capital investment and job creation thresholds established to qualify for incentives and the incentive package offered is estimated to provide a three- to five-year return on investment. Lynchburg currently has approximately 15 firms that could qualify as a "technology business" that are also located outside of the City's two Enterprise Zones (a firm cannot utilize both Enterprise Zone incentives and Technology Zone incentives). To date, no businesses have utilized the incentives provided in the City's existing Technology Zones. Expansion of the Technology Zone helps maintain Lynchburg's competitiveness in growing, retaining and attracting firms from a high-growth, high-wage industry sector.

CONTACT(S): Marjette Upshur, 434-455-4490

ATTACHMENT(S): Technology Zone Ordinance

REVIEWED BY: bms

ORDINANCE

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY ADDING THERETO CHAPTER 36.1 CONTAINING SECTIONS NUMBERED 36.1-1 THROUGH 36.1-6, THE NEW CHAPTER AND SECTIONS RELATING TO THE ESTABLISHMENT OF A CITY-WIDE TECHNOLOGY ZONE, AND TO AMEND AND REENACT SECTIONS 36-126.19 AND 36-151 OF THE CODE OF THE CITY OF LYNCHBURG, THE AMENDED SECTIONS RELATING TO THE INCENTIVES OFFERED TO QUALIFIED BUSINESSES THAT LOCATE IN OR ARE ALREADY LOCATED IN A TECHNOLOGY ZONE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG:

1. That the Code of the City of Lynchburg, 1981, be and the same is hereby amended and reenacted by adding thereto Chapter 36.1, containing sections numbered 36.1-1 through 36.1-6 as follows:

CHAPTER 36.1 TECHNOLOGY ZONE

Sec. 36.1-1. Purpose.

The Lynchburg City Council finds that the designation of the entire city as a technology zone, as authorized by Section 58.1-3850 of the Code of Virginia, will enable the city to provide incentives to qualified technology businesses that locate in or are already located within the city limits. City Council believes that providing incentives to qualified technology businesses will benefit the citizens of Lynchburg by creating high-wage jobs and expanding the city's tax base through maintaining, growing and attracting high-technology businesses and industries.

Sec. 36.1-2. Administration.

The department of economic development shall oversee the administration of the technology zone and this chapter. A business firm seeking to become qualified as a technology business must make application to the city's department of economic development for certification as a qualified technology business and to qualify for incentives. The department of economic development shall determine if an applicant is a qualified technology business.

Sec. 36.1-3 Definitions.

For the purposes of this chapter, the following phrases shall have the following meanings, unless clearly indicated to the contrary:

Technology business—the term technology business means a business which derives its gross receipts from the design, development, manufacture or other creation, for lease, sale or license of technology based products, processes or related services. Technology based products, processes or related services are defined as engaging in the activity of automation, biotechnology, biomedical research, electronics, computer hardware, computer software, defense, energy, environmental, manufacturing equipment, advanced materials, medical applications, pharmaceuticals, photonics, electronic based subassemblies and components, testing and measurements, telecommunications, systems integration, multimedia, e-commerce, internet services, transportation, architecture and engineering or similar activities. An electronic equipment facility that is primarily occupied, or intended to be occupied, by electronic and computer equipment that provides electronic data switching, transmission, or telecommunication functions between computers, both inside and outside the facility shall not qualify as a technology business. The use of computers, telecommunications services, or a web page or internet site shall not, in itself, be sufficient to qualify as a qualified technology business.

Qualified technology business--The term qualified technology business shall mean a business that:

- (a) Makes a minimum net new capital investment of \$100,000
- (b) Within one year of the new capital investment, hires 5 net new full-time employees.
- (1) A full-time employee is a person who is listed on the qualified technology business's payroll within the technology zone and is required to report to work in the technology zone.
- (2) A full-time employee's wages must be equal to or greater than twice the federal minimum wage rate.
- (3) A full-time employee must be provided with health benefits.

Sec. 36.1-4. Boundaries.

The technology zone shall include all the land and buildings lying within the Lynchburg city limits.

Sec. 36.1-5. Businesses located in both an enterprise zone and a technology zone.

Some businesses may be located in one of the city's enterprise zones and the technology zone. A qualified business that is located in both an enterprise zone and the technology zone can utilize either enterprise zone incentives or technology zone incentives, but not both.

Secs. 36.1-6 through 36.1-9. Reserved.

2. That Sections 36-126.19 and 36-151 of the Code of the City of Lynchburg, 1981, be and the same are hereby amended and reenacted as follows:

Sec. 36-126.19. ~~Urban e~~Enterprise zone and technology zones.

~~(a) Enterprise zone—Any business required to obtain a license pursuant to this article, and which is designated as a "qualified business firm" pursuant to the provisions of Chapter 22, Title 59.1 of the Code of Virginia, 1950, as amended, (the Urban Enterprise Zone Act), shall be entitled to the following tax credits: For the first two (2) calendar years, a one hundred percent (100%) credit; for the third (3rd) calendar year, a seventy-five percent (75%) credit; for the fourth (4th) calendar year, a fifty percent (50%) credit; and for the fifth (5th) calendar year, a twenty-five percent (25%) credit. Thereafter the tax shall be at the rate provided for in this chapter.~~

~~(b)(a) Enterprise zone—any business required to obtain a license pursuant to this article, and which is designated as a "qualified business firm" on or after July 1, 1995 pursuant to the provisions of Chapter 22, Title 59.1 of the Code of Virginia, 1950, as amended, (the Urban Enterprise Zone Act), shall be entitled to the following tax credits: For the first three (3) calendar years, a one hundred percent (100%) credit; and for the fourth (4th) and fifth (5th) calendar years, a fifty percent (50%) credit. Thereafter the tax shall be at the rate provided for in this article.~~

~~(b) Technology zone—any qualified technology business that locates in or is already located in the technology zone shall be entitled to a five-year reimbursement of business license taxes as follows: during the first (1st) calendar year, a seventy-five percent (75%) reimbursement; for the second (2nd) calendar year a fifty percent (50%) reimbursement; and for the third (3rd), fourth (4th) and fifth (5th) calendar years a twenty-five percent (25%) reimbursement.~~

~~(c) Any business required to obtain a license pursuant to this article, and which is designated as a technology business and which business locates in the city's downtown technology zone on or after July 1,~~

~~2002, shall be entitled to a ten-year reimbursement of business license taxes as follows: during the first five (5) calendar years, a one hundred percent (100%) reimbursement; for the sixth (6th) calendar year a seventy percent (70%) reimbursement; for the seventh (7th) calendar year a sixty percent (60%) reimbursement; for the eighth (8th) calendar year a forty percent (40%) reimbursement; and, for the ninth (9th) and tenth (10th) calendar years a twenty percent (20%) reimbursement.~~

~~(d) Any business required to obtain a license pursuant to this article, and which is designated as a technology business and which business locates in the city's lynchpin technology zone on or after July 1, 2002, shall be entitled to a five-year reimbursement of business license taxes as follows: during the first (1st) calendar year, an eighty percent (80%) reimbursement; for the second (2nd) calendar year a sixty percent (60%) reimbursement; for the third (3rd) calendar year a forty percent (40%) reimbursement; and, for the fourth (4th) and fifth (5th) calendar years a twenty percent (20%) reimbursement.~~

Sec. 36-151. Same—Machinery used in certain manufacturing and mining businesses

Effective on and after July 1, 1972, for the fiscal year beginning July 1, 1972, and ending June 30, 1973, and also for each and every fiscal year thereafter beginning July first and ending June thirtieth of each such year, unless otherwise changed by council, on each one hundred dollars (\$100.00) of the assessed value of all machinery and tools, except machinery and equipment used by farm wineries as defined by Section 4-2(10A) of the Code of Virginia, used in the manufacturing, mining, processing or reprocessing, radio or television broadcasting, dairy, dry cleaning or laundry business, pursuant to Section 58.1-3507 of the Code of Virginia, 1950, as amended, there shall be a tax of three dollars (\$3.00) for the purpose of establishing and maintaining the public schools of the city and for the purpose of providing the interest and sinking fund on loans negotiated and bonds issued by the city for school purposes, and for general governmental purposes.

Any business firm which may be designated as a "qualified business firm" on or after July 1, 1995 pursuant to the provisions of Chapter 22, Title 59.1 of the Code of Virginia, 1950, as amended, (the Enterprise Zone Act), shall be entitled to the following tax credits for the value of net new machinery and tools investment: for the first three (3) tax years for which the firm is assessed this tax, there shall be a one hundred per cent (100%) tax credit, and for the fourth and fifth years a fifty per cent (50%) tax credit. Thereafter the tax shall be at the rate provided for in this section.

Provided, however, that on and after July 1, 2011, for the fiscal year beginning July 1, 1984, and ending June 30, 2012, and for each fiscal year thereafter a qualified technology business shall be eligible for a five-year reimbursement of machinery and tools taxes for the value of net new machinery and tools investment as follows: during the first (1st) calendar year, a seventy-five percent (75%) reimbursement; for the second (2nd) calendar year a fifty percent (50%) reimbursement; and for the third (3rd), fourth (4th) and fifth (5th) calendar years a twenty-five percent (25%) reimbursement.

Every taxpayer owning any of the property mentioned in this section, on January first of any year, shall file a return thereof with the commissioner of the revenue on the form so prescribed. Such return shall be filed on or before February fifteenth of each year.

3. That this ordinance shall become effective upon its adoption.

Adopted:

Certified:

Interim Clerk of Council

007L

LYNCHBURG CITY COUNCIL
Agenda Item Summary

MEETING DATE: **January 11, 2011**

AGENDA ITEM NO: 10

CONSENT:

REGULAR: **X**

WORK SESSION:

CLOSED SESSION:
(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: U0208 – Leesville Road Tank Repainting, Change Order #1, City Project #09056-W

RECOMMENDATION: Approve extending the current contract value of \$196,750 to \$255,550 with an allocation of \$58,800 (a contract increase of 30%) from the FY 2011 Capital Improvement Program Budget for Change Order #1, costs related to adding existing paint removal at Leesville Road Tank to the project.

SUMMARY: The original design and construction contract (bid and won by Spensieri Diversified) called for external paint overcoats for both the Leesville Road and Huntingwood Tank refurbishments. Huntingwood Tank was successfully completed in October 2010. During the preparation pressure washing for Leesville Road Tank, the contractor and the Dixon Engineering inspector noticed that the existing paint coating was being removed. Overcoat of a failing paint coating system is not recommended due to potential of undercoat failure which will cause the entire coating to begin peeling. The tank and its paint were previously inspected in April 2009.

Spensieri provided a quote for adding removal of the existing paint to their existing contract for \$58,800 (a total of \$123,550 including the already contracted paint overcoat). Their alternate method of paint removal and containment has been approved by Dixon Engineering and would be a substantial savings over the traditional method of dry blast with containment (total strip and paint estimate of \$225,000).

Work would be completed in Spring 2011.

PRIOR ACTION(S): Approved by Physical Development Committee, December 14, 2010

Previous allocations have been set up for engineering design, on-site field inspection, and the construction contracts.

FISCAL IMPACT: The total allocation of \$58,800 is available from the FY 2011 Water Tank Rehabilitation Fund as follows:

Fund Description	Year	Available Balance	Allocation Request	Remaining Balance
Water Tank Rehab.	2011	\$570,587.50	\$58,800.00	\$511,787.50
TOTAL			\$58,800.00	-----

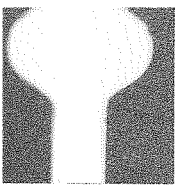
CONTACT(S):

Scott Parkins, Utilities Engineer, 455-4248

ATTACHMENT(S):

Letter from Dixon Engineering to City of Lynchburg documenting approval of change order.

APPROVED BY: _____ DATE: _____



DIXON

ENGINEERING AND
INSPECTION SERVICES
FOR THE COATING INDUSTRY

1104 Third Avenue
Lake Odessa, MI 48849
Telephone 1-616-374/3221
Fax 1-616-374/7116

November 11, 2010

City of Lynchburg
Mr. Scott Parkins, P.E.
DPW – Utilities Division
525 Taylor Street
Lynchburg, VA 24501

Re: Leesville Road

Dear Scott:

Enclosed is the price quote from Spensieri Diversified for the abrasive cleaning to bare metal for the Leesville road tank. He has proposed a water dampen abrasive with hold tite cleaning to bare metal and an additional coat of epoxy to which we agree with.

The site is large enough and without the cost of a containment system this is a viable option for this tank. The process should take 10-12 additional days.

Spensieri's original bid for the overcoat was 64,750. The addition of 58,800 would bring the total to 123,550.

Budget numbers for a dry blast and a four coat system would be 165,800 plus 60,000 for containment for a total of 225,600.

We will want to add some language to the change order if you are going to proceed with this, let me know.

If I can be of any further service to you, or answer questions, please feel free to call me at 616-374-3221 X 310.

FOR DIXON ENGINEERING, INC.,

Thomas Rounds

ENCLOSURE

Members: Steel Structures Painting Council
American Water Works Association
Consulting Engineers Council