



CITY COUNCIL WORK SESSION

Tuesday, January 14, 2025 | 4:00 PM

Council Chamber- City Hall

900 Church Street

Lynchburg, VA 24504

AGENDA

- I. Welcome** *Larry Taylor, Mayor*
- II. Work Session Agenda Overview** *Wynter C. Benda, City Manager*
- III. Work Session Agenda Items** *Wynter C. Benda, City Manager*
 - III.1.** Warming Center and Sheltering Update
 - III.2.** Comprehensive Plan Update
- IV. Business Item Briefing(s)**
 - IV.3.** 2810 Campbell Avenue - Conditional Use Permit (CUP) - Multi-Family Dwelling
 - IV.4.** City-Wide Youth Curfew
- V. Roll Call**
- VI. Closed Session**
 - VI.5.** Consideration of closed meeting to discuss the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the City would be adversely affected, pursuant to Section 2.2-3711(A)(6) of the Code of Virginia, 1950, as amended; the topic of the closed session being specific to granting a City franchise.
 - VI.6.** Consideration of a closed meeting to discuss appointments to the Community Development Advisory Committee pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended.

AGENDA ITEM SUMMARY**MEETING DATE**

January 14, 2025

PRESENTED BY

Kent White, Assistant City Manager

AGENDA ITEM # III.1

Warming Center and Sheltering Update

RECOMMENDATION

Update on community efforts to provide warming and temporary sheltering.

SUMMARY

During the January 23, 2024 work session, the Virginia Continuum of Care briefed Council on the state of homelessness in Central Virginia. City staff also reviewed the operations of a temporary warming center which operated last January and has opened several times during this winter to assist un-housed residents during extremely cold evenings. Staff will provide an update on the work that is ongoing and what Council and the community can expect in the coming months.

PRIOR ACTION(S)

June 9, 2024 - Council approved federal Community Development Block Grant funds to assist with efforts around housing intake and to request proposals for extreme weather center services.

June 25, 2024 - Council approved Ramp Church's zoning petition to allow the use of an existing church as a shelter for the un-housed at 2220 Memorial Avenue.

FISCAL IMPACT

In 2024, City Council approved recommendations from the Community Development Advisory Committee and allocated \$107,000 in federal funding to assist persons experiencing unsheltered homelessness.

CONTACT(S)

Kent White, Assistant City Manager

ATTACHMENT(S)

1. Presentation

REVIEWED BY

Alicia L. Finney

Alicia Finney, Clerk of Council

Date: January 08, 2025

WARMING CENTER AND SHELTERING UPDATE

January 14, 2025



OVERVIEW

Purpose:

Update on efforts to provide extreme weather sheltering and assistance for unsheltered members of our community.

Why:

Last year, City Council heard a presentation from the Central Virginia Continuum of Care about the state of homelessness in Central Virginia. Overall homelessness in the Lynchburg area has decreased; however, unsheltered homelessness continues to increase.

2024 SNAPSHOT

- 410% increase in unsheltered homelessness since 2019 (235 individuals in 2024)
- Shelter capacity decreased 42% since 2022; 41 less beds available each night (16 lost in 2024)
- Opened a warming center 19 evenings on 5 different occasions; 11 nights in January 2024 and 8 nights in December 2024
 - Salvation Army provided space
 - Staffed by Human Services, with City workforce, Miriam's House and Interfaith Outreach volunteers
 - In January, guests increased from 8 to 39
 - Averaged 12-15 guests in December; limited capacity
 - Unsustainable

UNSHELTERED



58% stayed in tents, vehicles, benches, parks, etc.

EMERGENCY SHELTER



38% stayed in emergency shelter

EXPERIENCED BOTH



4% stayed in shelter & in unsheltered situations



IN RESPONSE

- **“After Action” review of the January Warming Center**
 - 27% of guests had no previous record with our homeless response system
 - Temperature thresholds and consistent scheduling of operations
- **Council approved federal Community Development Block Grant [CDBG] funding**
 - Miriam’s House/CVCoC for Coordinated Homeless Intake and Access - \$65,000
 - Miriam’s House for Extreme Weather Center - \$42,000
- **Need for more shelter capacity**
 - Council approved zoning petition for The Refuge on Memorial



CURRENTLY

- The Central Virginia Continuum of Care (COC) issued a request for proposals to operate a warming center using CDBG funding.
- The COC Board awarded funding to the Salvation Army (sole applicant); beginning January 2025, when temperatures are below 32 degrees.
- Warming Center has been operating since January 4
- Salvation Army gym is available; more capacity

WHAT'S NEXT

- The Refuge on Memorial targeting February opening
- Sustainable extreme weather sheltering
 - Ideally opening earlier; consistent hours of operation





AGENDA ITEM SUMMARY

MEETING DATE

January 14, 2025

PRESENTED BY

Rachel Frischeisen, City Planner

AGENDA ITEM # III.2

Comprehensive Plan Update

RECOMMENDATION

Staff will provide an update of the Comprehensive Plan process. No City Council action is required at this time.

SUMMARY

For the past year, representatives from The Berkley Group have been engaging with City Council, Planning Commission, our community and staff to update Lynchburg's Comprehensive Plan. Staff will provide an overview of the update process and next steps.

PRIOR ACTION(S)

N/A

FISCAL IMPACT

N/A

CONTACT(S)

Rachel Frischeisen, City Planner

ATTACHMENT(S)

1. Presentation

REVIEWED BY

William Martin, Community Development Director

Date: January 08, 2025

Date: January 08, 2025

Kent White, Assistant City Manager

A handwritten signature in black ink that reads "Alicia L. Finney". The signature is written in a cursive, flowing style.

Alicia Finney, Clerk of Council

Date: January 08, 2025

COMPREHENSIVE PLAN UPDATE

Tuesday, January 14, 2025

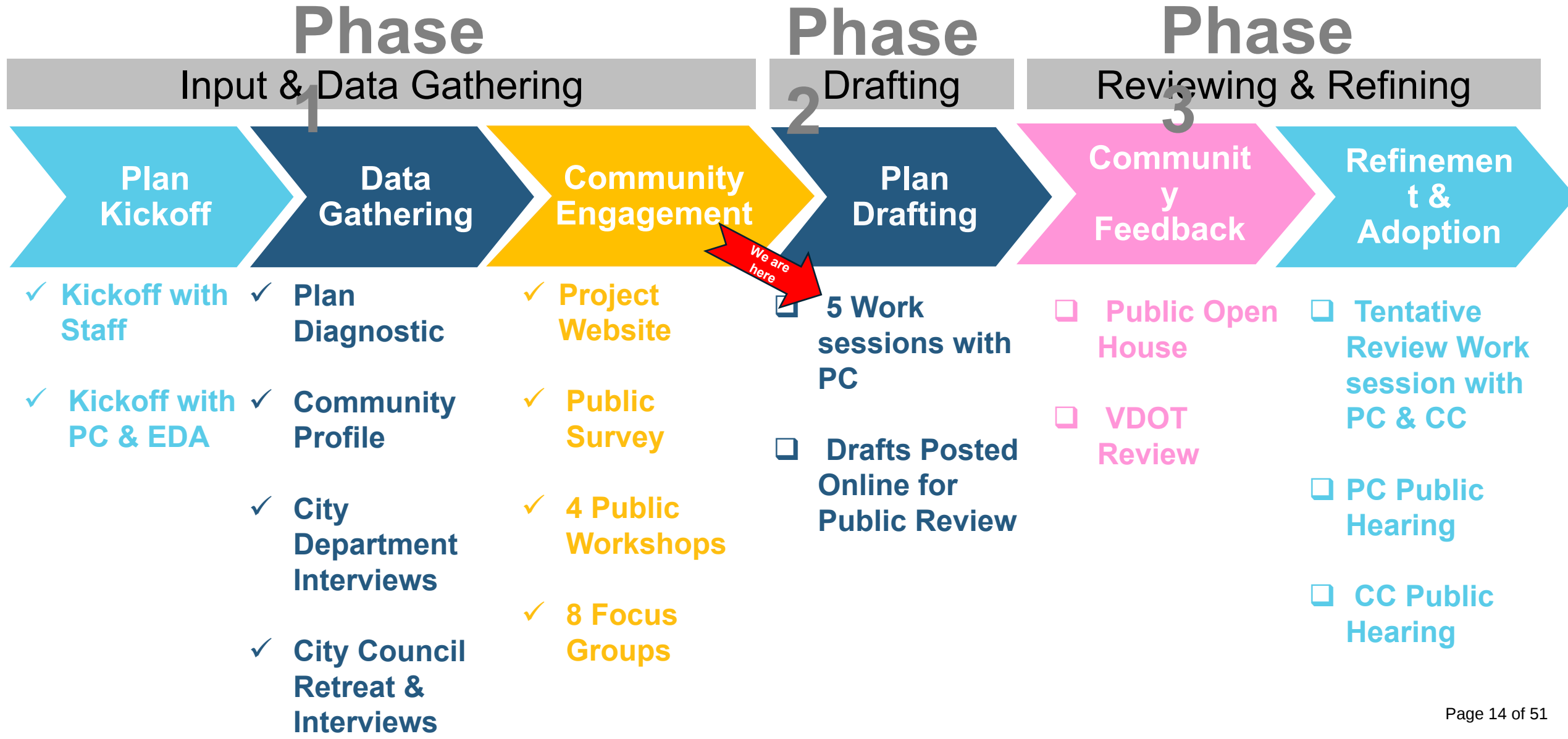


BACKGROUND

- What is a Comprehensive Plan?
- Why update it?
- What is the process?
 - Input & Data Gathering
 - Plan Drafting
 - Reviewing & Refining



WHERE ARE WE IN THE PROCESS?



PLAN OUTLINE

Chapter 1 – ~~About the Plan~~

~~Planning Authority~~

~~Planning Process~~

Chapter 2 – Planning for Lynchburg Together

~~Planning Themes & Vision~~

Planning Catalyst Projects

Chapter 3 - Define & Protect Community *Form*

Growth & Community Character

~~Housing & Neighborhoods~~

Chapter 4 - Create a More Connected Community *Framework*

~~Mobility & Connectivity~~

Infrastructure & Facilities

Chapter 5 - Improve Community *Function*

~~Economic Development & Investment~~

~~Environmental & Community Health~~

Chapter 6 – Implementing the Plan

Tools for Implementation

Implementation Matrix

Appendices

~~Community Engagement Summary~~

~~Community Profile~~

Glossary

Strikethrough indicates elements covered in PC Work Sessions

Blue indicates elements for upcoming PC Work Sessions

NEXT STEPS

- Planning Commission Work Sessions continue (3 down; 2 to go)
- Interviews with new City Council members
- Plan draft available to the public in May 2025
- Possible Joint Planning Commission & City Council Work Session
- Zoning Map Evaluation
- Public hearings in August & September 2025



AGENDA ITEM SUMMARY**MEETING DATE**

January 14, 2025

PRESENTED BY

Rachel Frischeisen, City Planner

AGENDA ITEM # IV.3

2810 Campbell Avenue - Conditional Use Permit (CUP) - Multi-Family Dwelling

RECOMMENDATION

This item will appear for City Council vote on the January 28, 2025, Public Hearing agenda. Approval of the Conditional Use Permit (CUP) petition to allow the use of an existing structure as a three (3) unit multi-family dwelling in a B-1, Limited Business District at 2810 Campbell Avenue.

SUMMARY

Juan F. Chicas is petitioning for a CUP to allow the use of an existing structure as a three (3)-unit multi-family dwelling in a B-1, Limited Business District at 2810 Campbell Avenue.

The property is zoned B-1, Limited Business District. In this district, single-household dwellings are permitted by-right and multi-family dwellings are permitted upon approval of a CUP by Council. The *Comprehensive Plan 2013-2030 Future Land Use Map (FLUM)* recommends Mixed Use for the subject property. These areas call for a balanced mix of residential, neighborhood commercial, civic uses, parks, and open spaces. The existing structure was previously used for commercial purposes and is adjoined by residential uses and parking.

On June 28, 2024, a verbal warning was issued and a stop work order was placed on the property for the conversion of the property into multiple residential units without a CUP or building permits. At the time of the stop work order, two (2) dwelling units had already been installed and a third unit was in progress. A notice of violation was issued on July 29, 2024, and the Zoning Division was preparing to pursue the violation in court prior to the submittal of the CUP petition. The units constructed without permits would be subject to applicable building code requirements.

The use of the existing building as a three (3) unit multi-family dwelling should have limited impact on the surrounding area. Approval of the CUP petition would allow for two (2) additional residential units without altering the zoning. This would preserve the opportunity for future commercial uses to occupy the space.

PRIOR ACTION(S)

December 11, 2024: The Planning Commission recommended approval (4-0, with 3 absent: Bowden, Henderson, Johnson) of the petition.

December 11, 2024: The Planning Division recommended approval of the petition.

FISCAL IMPACT

N/A

CONTACT(S)

Rachel Frischeisen, City Planner

ATTACHMENT(S)

1. Presentation Slides
2. Planning Commission Minutes, Report, and Attachments

REVIEWED BY



William Martin, Community Development Director

Date: December 30, 2024



Kent White, Assistant City Manager

Date: January 02, 2025



Alicia Finney, Clerk of Council

Date: January 08, 2025

2010 CAMI DELL AVENUE CONDITIONAL USE PERMIT

Tuesday, January 14, 2025



PURPOSE & ACTION

Purpose:

Petition of Juan F. Chicas for a Conditional Use Permit (CUP) in a B-1, Limited Business District to allow the use of an existing structure as a three (3) unit multi-family dwelling at 2810 Campbell Avenue.

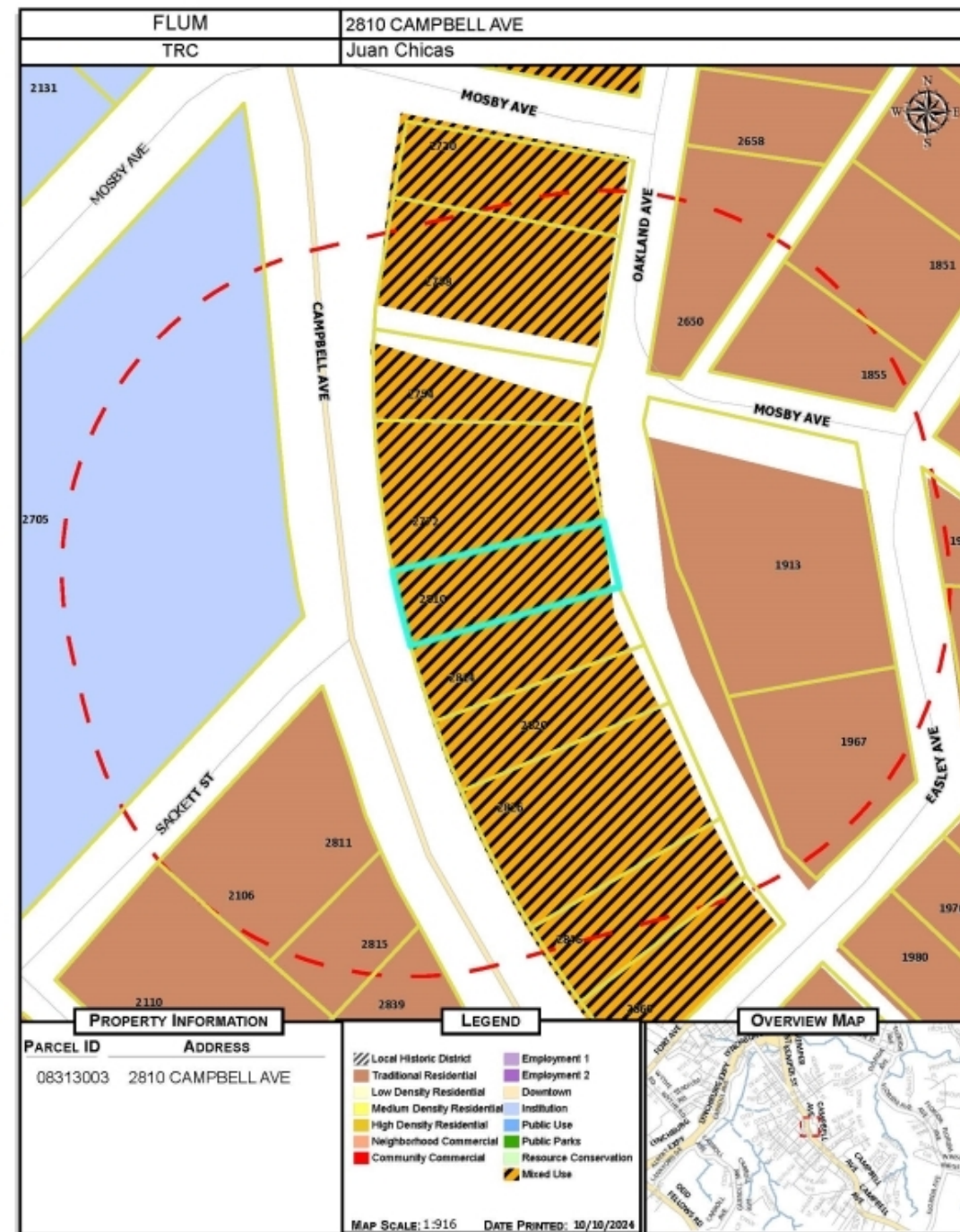
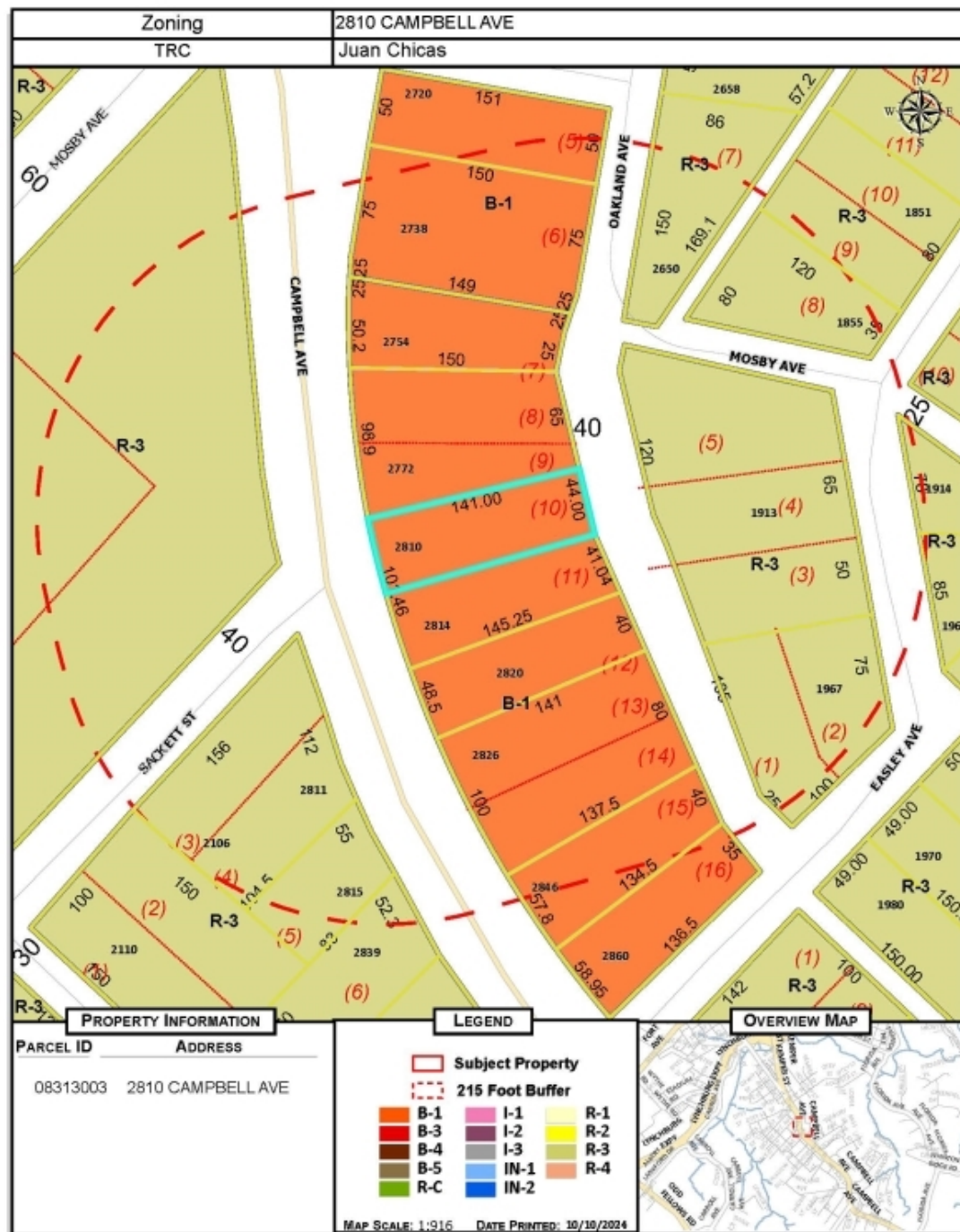
Recommendation:

The Planning Commission recommended approval (4-0) of the CUP petition on December 11, 2024.

Action:

A City Council Public Hearing will be held on January 28, 2025.





GENERAL NOTES:

1. SERVICE CONNECTIONS SHALL NOT BE UTILIZED FOR DEMOLITION, GRADING, CONSTRUCTION/RECONSTRUCTION, AND/OR LANDSCAPING PURPOSES, UNLESS THE APPROPRIATE RP FOR BACKFLOW HAS BEEN INSTALLED. THIS INCLUDES TEMPORARY AS WELL AS PERMANENT CONNECTIONS.
2. SERVICE CONNECTIONS SHALL NOT BE UTILIZED FOR DEMOLITION, GRADING, CONSTRUCTION/RECONSTRUCTION, AND/OR LANDSCAPING PURPOSES, UNLESS THE APPROPRIATE RP FOR BACKFLOW HAS BEEN INSTALLED. THIS INCLUDES TEMPORARY AS WELL AS PERMANENT CONNECTIONS.
3. ALL CONNECTIONS TO PUBLIC WATER SHALL BE PERFORMED IN ACCORDANCE WITH THE CITY OF LYNCHBURG MANUAL OF SPECIFICATIONS AND STANDARD DETAILS, LATEST EDITION.
4. CONTACT THE CITY ENGINEER/DEPARTMENT, THE CITY CONSTRUCTION COORDINATOR, AND THE UTILITY (S) 48 HOURS IN ADVANCE OF ANY CONSTRUCTION ACTIVITY.
5. ALL CONSTRUCTION SHALL BE PERFORMED IN ACCORDANCE WITH CITY OF LYNCHBURG MANUAL OF SPECIFICATIONS AND STANDARD DETAILS.
6. IF DURING DEMOLITION OR CONSTRUCTION, ANY DISCREPANCIES ARE NOTED, PLEASE REPORT TO ANY PUBLIC WATER SERVICE CONNECTION, THE DEPARTMENT OF WATER RESOURCES SHALL BE NOTIFIED, BUT IS NOT LIMITED TO CONNECTIONS WHICH NEED TO BE ADDED, ABANDONED, CHANGED, OR RELOCATED.
7. LANDSCAPING AND/OR OTHER SITE FEATURES SHALL NOT BE SUCH THAT THEY IMPACT THE REQUIRED ALLOWANCES FOR ANY RP AND/OR RP FOR BACKFLOW NOW OR IN THE FUTURE.



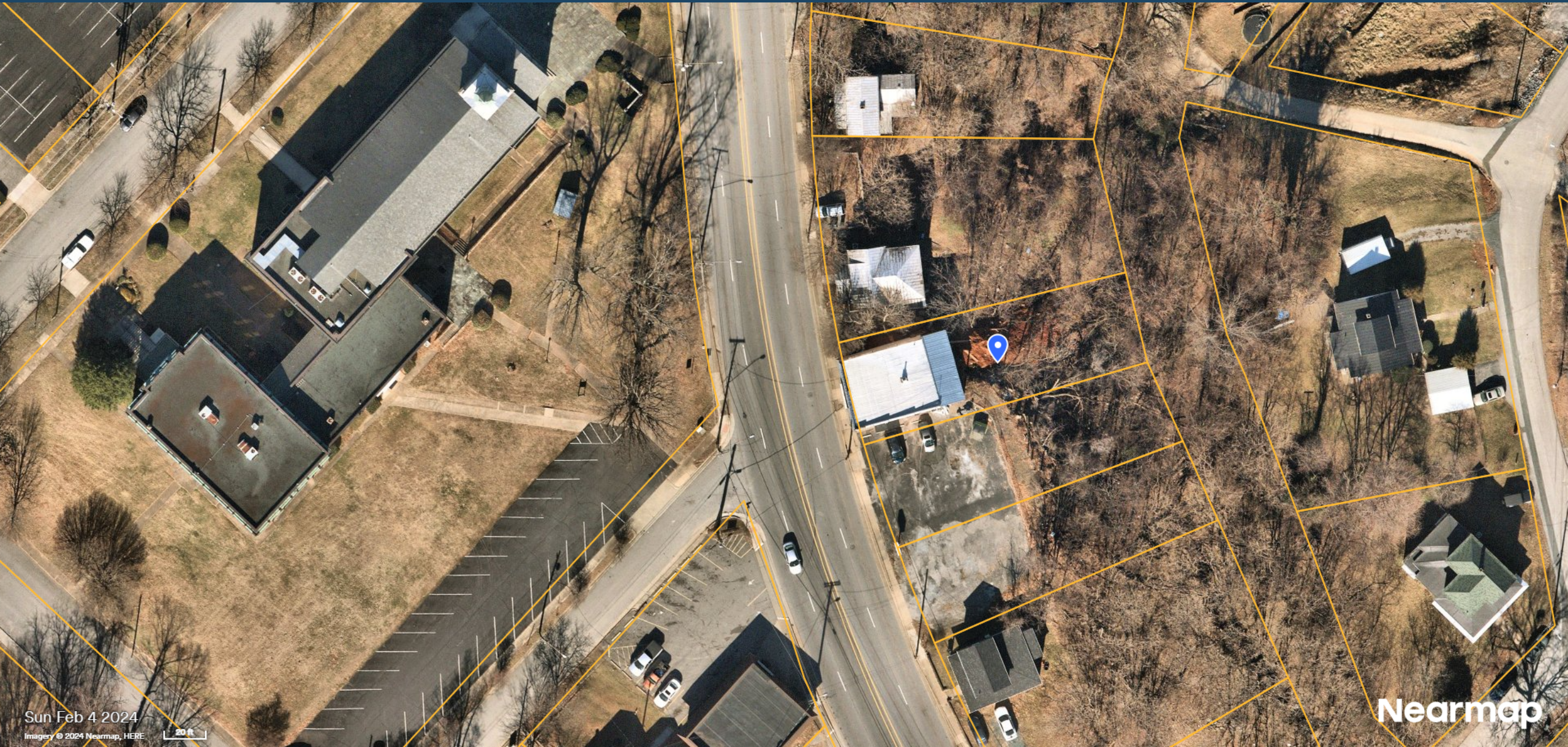
ACCUPPOINT
SURVEYING & DESIGN
SUBALCOSSA • ENGINEERS • SOIL EVALUATORS
1000 WEST CENTER DRIVE, FORTY EIGHT, VA 24501
PH: 434-432-4358 WWW.ACCUPPOINTVA.COM

SITE PLAN
FOR
FRANK CHICAS
2810 CAMPBELL AVENUE
CITY OF LYNCHBURG, VIRGINIA



REVISION DATE	
SCALE:	1" = 20'
ASD JOB #:	2024-000
FILE #:	2024-000 ARCH SITE
DATE:	09/27/2024

C-1
CONCEPT PLAN



Sun Feb 4 2024

Imagery © 2024 Nearmap, HERE

20 ft

Nearmap

MINUTES OF THE DECEMBER 11, 2024 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED):

Petition of Juan F. Chicas for a Conditional Use Permit in a B-1, Limited Business District to allow the use of an existing structure as a multi-family dwelling with three (3) units at 2810 Campbell Avenue.

Ms. Eve Mergenthaler, Senior Planner, provided the following summary to the Commission. The purpose of the Conditional Use Petition (CUP) is to allow the use of an existing structure as a three (3) unit multi-family dwelling in a B-1, Limited Business District at 2810 Campbell Avenue. The subject property contains approximately one hundred sixty-two thousandths (0.162) of an acre and the Future Land Use Map (FLUM) recommends Mixed Use for the property. Mixed use areas do not fit into any single use category and are intended to be developed for a balanced mix of residential, neighborhood commercial, civic uses, parks, and open spaces. In the B-1, Limited Business District, single-household dwellings are permitted by-right and multi-family dwellings are permitted upon approval of a CUP by City Council. The subject property contains a one-story, wood frame structure with approximately one thousand, five hundred five (1,505) square feet. It was previously used for commercial purposes. It is adjoined by residential uses and parking. If the petition is approved, the structure would continue to be converted into a multi-family dwelling with three (3) total units. A verbal warning was issued and a stop work order was placed on the property on June 28, 2024 for the conversion of the property into multiple residential units without a CUP or building permits. At the time of the stop work order, two (2) dwelling units had already been installed and a third unit was in progress. A notice of violation was issued on July 29, 2024 and the Zoning Division was preparing to pursue the violation in court prior to the submittal of the CUP petition. The units constructed without permits would be subject to applicable building code requirements. The use of the existing building as a three (3) unit multi-family dwelling should have limited impact on the surrounding area. Approval of the CUP petition would allow for two (2) additional residential units without altering the zoning. This would preserve the opportunity for future commercial uses to occupy the space, which would be more closely aligned with the FLUM designation. The City's Technical Review Committee (TRC) reviewed the petition on October 22, 2024. The Planning Division recommends approval of the petition with the conditions outlined in the report.

Commissioner Rogers asked if there was anyone present to speak on behalf of the petition.

Ms. Amy Seipp of Accupoint Surveying & Design, LLC was present to represent the petition. Mr. Juan Chicas plans to make some improvements to the building, like building a back deck. Accupoint has recommended additional improvements, such as stabilizing the steep slope in the back, and additional egress paths for ease of access. Mr. Chicas has also been informed that he will need architectural plans to ensure the residential units meet building code requirements.

Commissioner Rogers asked if there was anyone present to speak in favor of the petition.

Commissioner Rogers asked if there was anyone present to speak in opposition to the petition.

With there being none, he closed the public hearing.

Commissioner Gammon asked if future owners could revert the use of the building back to commercial.

Ms. Rachel Frischeisen, City Planner, replied yes, future owners could do so because this is a CUP.

Commissioner Rogers asked if the addition of residential units without a CUP and permits was a case of the owner just not knowing what he needed to do.

Ms. Seipp replied that was correct. She noted that when she walked through the property with the client, they discussed the need for permitting, a CUP, and meeting building code.

Commissioner Perault stated that this is regulatory, but also about safety.

Ms. Seipp agreed that the requirements ensure safety. The improvements planned will better the property but must follow the proper process. The building is depressed and has been a plethora of things. The last use being a hair braiding facility. It has been vacant for a time and this use will enable more affordable housing for the area.

Commissioner Perault commented that the back porch already installed looks very good. He asked Ms. Frischeisen how the additional units were discovered.

Ms. Frischeisen replied that a complaint was received by the Zoning Division.

Commissioner Perault said it would be difficult to tell from the front that anything was being done. He commented that it makes him wonder how often this type of thing goes on.

Commissioner Rogers replied that people often don't know that they have to go through these processes.

Commissioner Perault responded yes, it is usually unintentional. He then asked if this would have had to come to the Commission if it wasn't multi-family.

Ms. Frischeisen replied that single-household detached is permitted in B-1, but it would still require a building permit.

Commissioner Perault stated that this was a good use for the existing structure and will offer more stability for the area rather than the building changing businesses every couple of years.

Ms. Seipp shared agreement. She noted that the petitioner also intends to improve the façade of the building so that it looks less like a business and is more in line with other homes in the area.

Commissioner Marion made the following motion, seconded by Commissioner Gammon, and approved by the following vote:

"Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of Juan F. Chicas to allow the conversion of an existing structure at 2810 Campbell Avenue into a multi-family dwelling subject to the following conditions:

- 1. There shall be a maximum of three (3) residential units.**
- 2. All residential units must meet applicable building code requirements.**
- 3. Any necessary modifications to rectify work completed without permits will be the responsibility of the developer."**

AYES: Gammon, Marion, Perault, Rogers

4

NOES:

0

ABSTENTIONS:

0

ABSENT: Bowden, Henderson, Johnson

3

The Department of Community Development

City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Planning Commission
From: Planning Division
Date: December 11, 2024
Re: **Conditional Use Permit (CUP) – Multi-Family – 2810 Campbell Avenue**

I. PETITIONER

Mr. Juan F. Chicas, 12524 Tower Hill Road, Midland, Virginia, 22728

Representative: Ms. Amy Seipp, P.E., Accupoint Surveying & Design, LLC, 106 Vista Centre Drive, Forest, Virginia 24551

Property Owner: Same as the Petitioner

II. LOCATION

The subject property located at 2810 Campbell Avenue consists of approximately one hundred sixty-two thousandths (0.162) of an acre.

III. PURPOSE

The purpose of the CUP petition is to allow the use of an existing structure as a three (3) unit multi-family dwelling in a B-1, Limited Business District at 2810 Campbell Avenue.

IV. SUMMARY

- The property is zoned B-1, Limited Business District. In this district, single-household dwellings are permitted by-right and multi-family dwellings are permitted upon approval of a CUP by Council.
- The *Comprehensive Plan 2013-2030* Future Land Use Map (FLUM) recommends Mixed Use for the subject property. These areas call for a balanced mix of residential, neighborhood commercial, civic uses, parks and open spaces.
- The use of the existing building as a multi-family dwelling should have limited impact on the surrounding area and preserve the opportunity for future commercial uses to occupy the space.

The Planning Division recommends approval of the CUP petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The *Comprehensive Plan 2013-2030* Future Land Use Map (FLUM) recommends Mixed Use for this property. These areas do not fit into any single use category as they are planned for a mix of uses carefully designed so as to mitigate any potential land use conflicts. The mixed use areas generally consist of large undeveloped or greenfield areas that are intended to be developed for a balanced mix of residential, neighborhood commercial, civic uses, parks and open spaces. The mix of uses in these areas is intended to be determined at the time of development review and approval. (p.76)
2. **Zoning.** The subject property was annexed into the City in 1926. The existing B-1, Limited Business District zoning was established in 2016 when the Zoning Ordinance was updated. Prior to that, the B-2, Local Neighborhood Business District zoning was established in 1978.

3. **Board of Zoning Appeals (BZA).** The Zoning Administrator has determined that no variances are needed for the development of the property as proposed.
4. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
 - On January 8, 1980, City Council approved Fairview Christian Church's CUP petition to allow a child care center in an R-3, Medium Density Two-Family Residential District at 2705 Campbell Avenue.
 - On March 13, 1984, City Council approved Fairview Christian Church's CUP petition to allow the construction of a parking lot in an R-3, Medium Density Two-Family Residential District at 2205 Mosby Avenue.
 - On April 14, 1992, City Council approved the Church of God of Prophecy's CUP petition to allow additional parking for approximately eighteen (18) vehicles in an R-3, Medium Density Two-Family Residential District at 2205-2213 Cobbs Street.
 - On October 12, 1993, City Council approved the Church of God of Prophecy's CUP petition to allow the construction of five (5) classrooms, two (2) restrooms, a multi-use facility and additional parking at 2600 Garfield Avenue and 2205-2213 Cobbs Street.
 - On May 9, 2000, City Council approved the Church of God of Prophecy's petition to rezone four tenths (.4) of an acre from I-2, Light Industrial District to R-3, Medium Density Two-Family Residential District and their CUP petition to allow the construction of a fellowship hall and parking lot in an R-3, Medium Density Two-Family Residential District at Otey and Cobbs Streets.
 - On September 11, 2012, City Council approved Fairview Christian Church's CUP petition to allow a twenty-two (22) square foot modified sign in an R-3, Medium Density Two-Family Residential District at 2705 Campbell Avenue.
 - On February 23, 2016, City Council approved the rewrite of the City's Zoning Ordinance. In the new Ordinance the B-2, Local Neighborhood Business District became the B-1, Limited Business District.
5. **Site Description.** The subject property consists of approximately one hundred sixty-two thousandths (0.162) of an acre located at 2810 Campbell Avenue. The property contains a one-story, wood frame structure constructed in 1953. The structure is approximately one thousand, five hundred five (1,505) square feet in size and is proposed for reuse as a multi-family dwelling with three (3) units.

The property is bound to the north by residential uses and vacant properties, to the west (across Campbell Avenue) by churches and a commercial use, to the south by residential uses, and to the east by residential uses.

The building was previously used for commercial purposes. Ultra Beauty and Braids was issued a Certificate of Occupancy (CO) on June 19, 2010. Campbell Ave Barber & Beauty was issued a CO on January 7, 2014. Faith Assembly Christian Child Development Center was issued a CO on September 24, 2021.

The current owner bought the property on September 19, 2023. A verbal warning was issued and a stop work order was placed on the property on June 28, 2024 for the conversion of the property into multiple residential units without a CUP or building permits. At the time of the stop work order, two (2) illegal dwelling units were reported to exist with tenants and a third unit was in progress. A notice of violation was issued on July 29, 2024. The petitioner has been

advised that the building will be subject to applicable building codes and that architectural plans will be required. Architectural plans for permit review have not been submitted at this time.

6. **Proposed Use of Property.** If the petition is approved, the existing structure would be converted into a multi-family dwelling with three (3) units.

Since some work has been done without permits to convert the commercial building into multiple residential units. There may be additional building code requirements (ex. fire separation, sprinklers) that need to be met in order to occupy the building even with approval of a CUP petition.

7. **Traffic, Parking and Public Transit.** The petitioner was not required to conduct a traffic analysis as part of this petition.

The adjoining property, under the same ownership, contains a paved parking lot. The existing number of available parking spaces is above the *Zoning Ordinance* requirement of one (1) space per dwelling unit.

The area is served by the Greater Lynchburg Transit Company (GLTC) Route 2 with bus stops located at the corner of Easley Avenue and Campbell Avenue and the corner of Mosby Avenue and Campbell Avenue.

8. **Stormwater Management.** A stormwater management / Erosion & Sediment Control Plan will not be required as there are no external improvements or modifications proposed at this time. An Erosion & Sediment Control Plan would be required if disturbed areas exceed one thousand (1,000) square feet. A stormwater management plan would be required if disturbed areas exceed five thousand (5,000) square feet.

9. **Emergency Services:** The City's Fire Marshal and Police Department had no comments of concern regarding the proposal.

10. **Impact.** The proposed multi-family dwelling should have limited impact on the surrounding area. It would be located within an existing structure adjoined by parking and single-family residential uses. The Future Land Use Map (FLUM) recommends a Mixed Use for the subject property, which calls for a balanced mix of residential, neighborhood commercial, civic uses, parks and open spaces. Single-household dwellings are permitted by-right in the B-1, Limited Business District. Approval of the CUP petition would allow two (2) additional residential units without altering the zoning. This would preserve the opportunity for future commercial uses to occupy the space, which would be more closely aligned with the FLUM designation for a variety of compatible uses. All residential units should be made to comply with applicable building code requirements.

11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the CUP petition on October 22, 2024. Comments were minor in nature.

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of Juan F. Chicas to allow the conversion of an existing structure at 2810 Campbell Avenue into a multi-family dwelling subject to the following conditions:

1. **There shall be a maximum of three (3) residential units.**

- 2. All residential units must meet applicable building code requirements.**
- 3. Any necessary modifications to rectify work completed without permits will be the responsibility of the developer.**

This matter is respectfully offered for your consideration.



Rachel Frischeisen
City Planner

pc: Wynter Benda, City Manager
Greg Patrick, Deputy City Manager
Kent White, Assistant City Manager
Tom Martin, Director of Community Development
Matthew Freedman, City Attorney
J. Lee Newland, City Engineer
Cynthia Kozerow, Lynchburg Police Department
Candace Brown, Fire Marshal
Doug Saunders, Building Official
Kevin Henry, Zoning Administrator
Juan F. Chicas, Property Owner and Petitioner
Amy Seipp, P.E., Accupoint Surveying & Design, LLC, Representative

VII. ATTACHMENTS

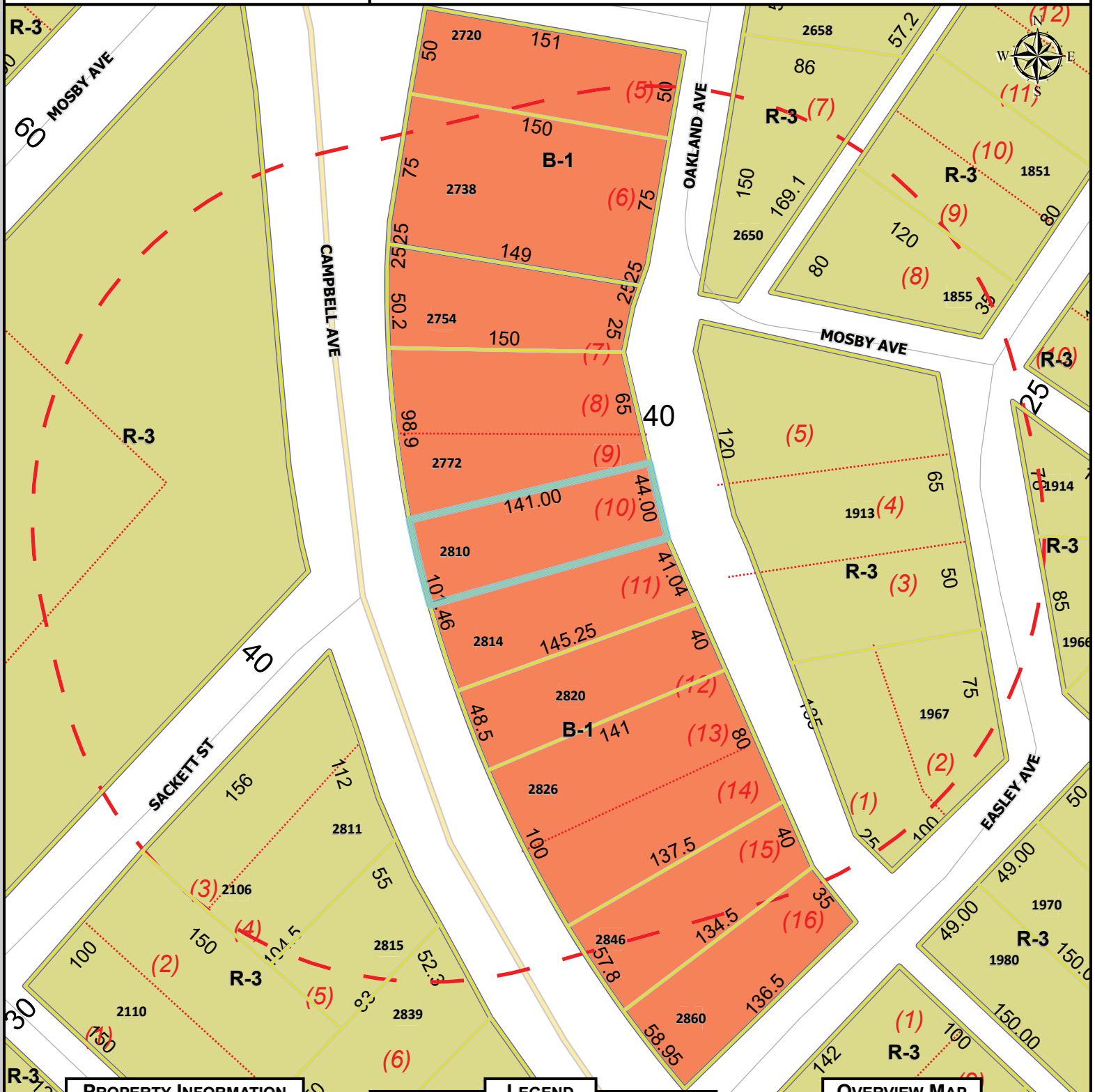
- 1. Zoning Map with Adjoining Property Owners**
- 2. Future Land Use Map**
- 3. Watershed Map**
- 4. Planimetric and Topographic Map**
- 5. Narrative**
- 6. Concept Plan**
- 7. Property Photograph**

Zoning

2810 CAMPBELL AVE

TRC

Juan Chicas



PROPERTY INFORMATION

PARCEL ID

ADDRESS

08313003

2810 CAMPBELL AVE

LEGEND

Subject Property

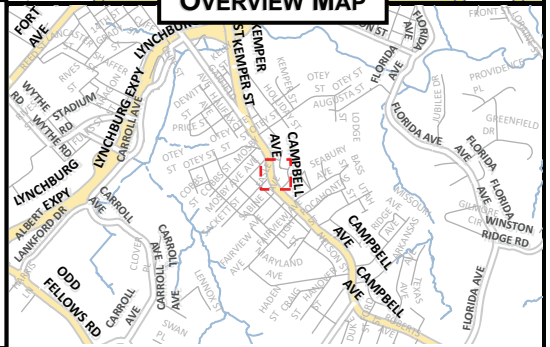
215 Foot Buffer



MAP SCALE: 1:916

DATE PRINTED: 10/10/2024

OVERVIEW MAP



2810 Campbell Avenue

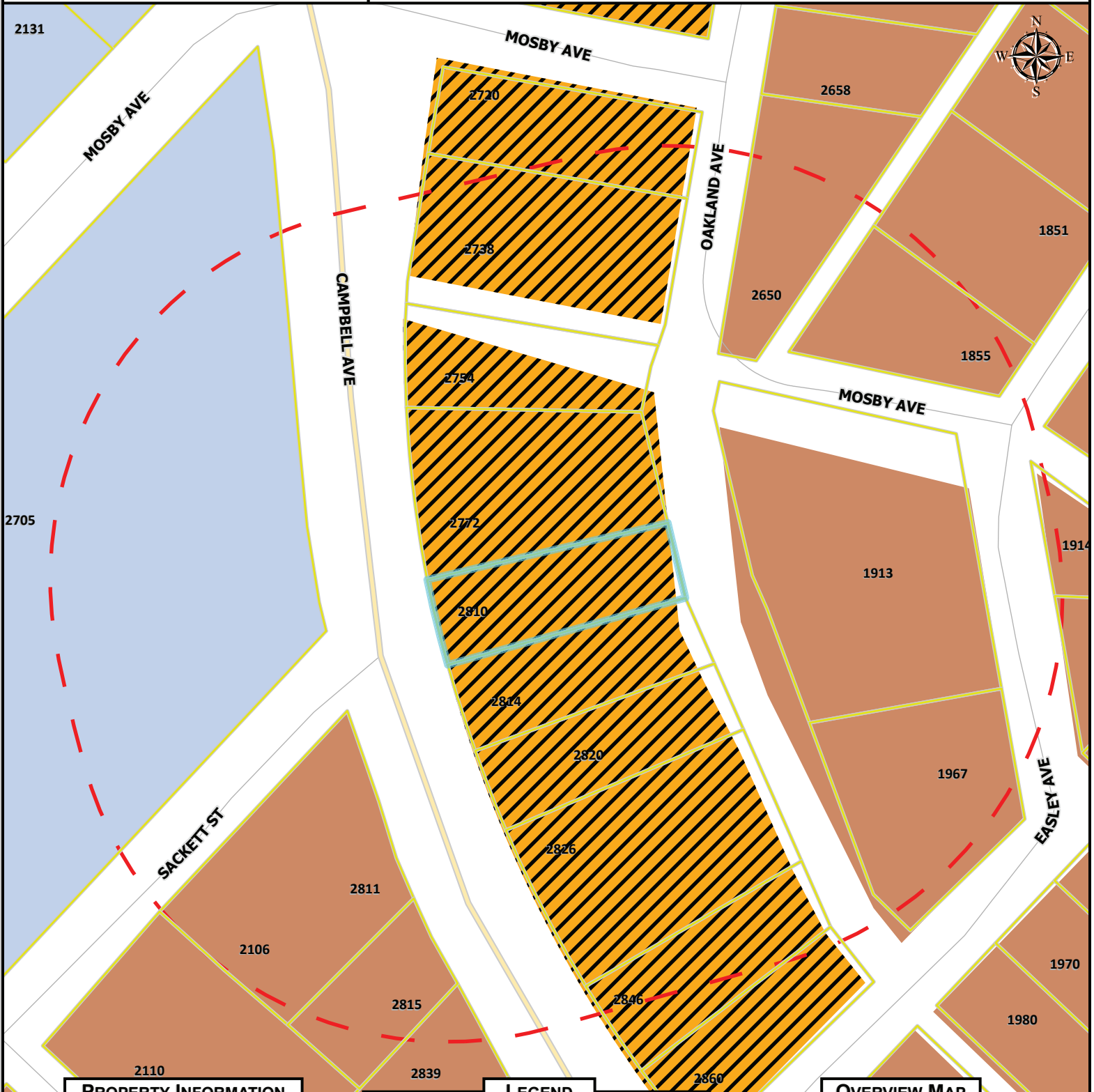
Parcel ID	Address	Owner
08315001	2811 CAMPBELL AVE	LPP LLC
08315003	2839 CAMPBELL AVE	MT ZION TEMPLE OF LOVE CHURCH
08315005	2110 SACKETT ST	SMITH, KENTONNA L
08315006	2815 CAMPBELL AVE	MT ZION TEMPLE OF LOVE CHURCH
08307006	1855 EASLEY AVE	ANDERSON, NORMAN R
08307005	1851 EASLEY AVE	GILLENWATER, BRISTOL A & WOOD, JACE
08307007	2650 OAKLAND AVE	BROOKS, WILLIAM F
08314001	2705 CAMPBELL AVE	FAIRVIEW CHRISTIAN CHURCH TRS
08313008	2860 CAMPBELL AVE	ROSE, TYRONE SHONTAE
08313007	2846 CAMPBELL AVE	GREEN, LANDON D
08313006	2826 CAMPBELL AVE	ROBBINS, DANIYIL S & ROBBINS, MICHAEL W
08311003	1967 EASLEY AVE	WOOD, ROBERT E ESTATE C/O MICHAEL K WOOD
08313005	2820 CAMPBELL AVE	LONDON INC
08313004	2814 CAMPBELL AVE	CHICAS, JUAN F
08313003	2810 CAMPBELL AVE	CHICAS, JUAN F
08313002	2772 CAMPBELL AVE	GRANT, KATHERINE V
08311001	1913 EASLEY AVE	ROARK, HENRY T
08313001	2754 CAMPBELL AVE	GRANT, KATHERINE V
08310007	2738 CAMPBELL AVE	CATLETT, JEFFERY S
08310006	2720 CAMPBELL AVE	KHAN, NAVEED A & SADAF N
08312002	1966 EASLEY AVE	ELDER, CYNTHIA L
08312001	1914 EASLEY AVE	ELDER, CYNTHIA L

FLUM

2810 CAMPBELL AVE

TRC

Juan Chicas



PROPERTY INFORMATION

PARCEL ID	ADDRESS
08313003	2810 CAMPBELL AVE

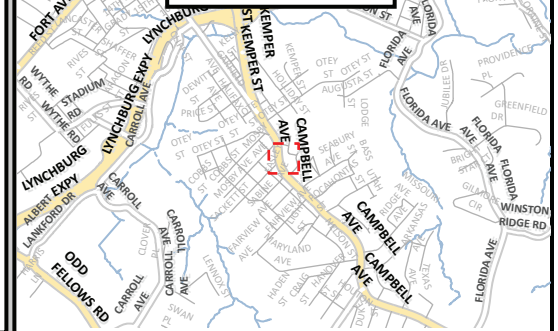
LEGEND

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

MAP SCALE: 1:916

DATE PRINTED: 10/10/2024

OVERVIEW MAP



Watershed

2810 CAMPBELL AVE

TRC

Juan Chicas



PROPERTY INFORMATION

PARCEL ID	ADDRESS
08313003	2810 CAMPBELL AVE

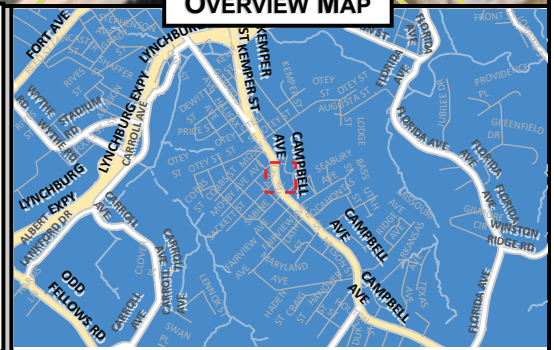
LEGEND

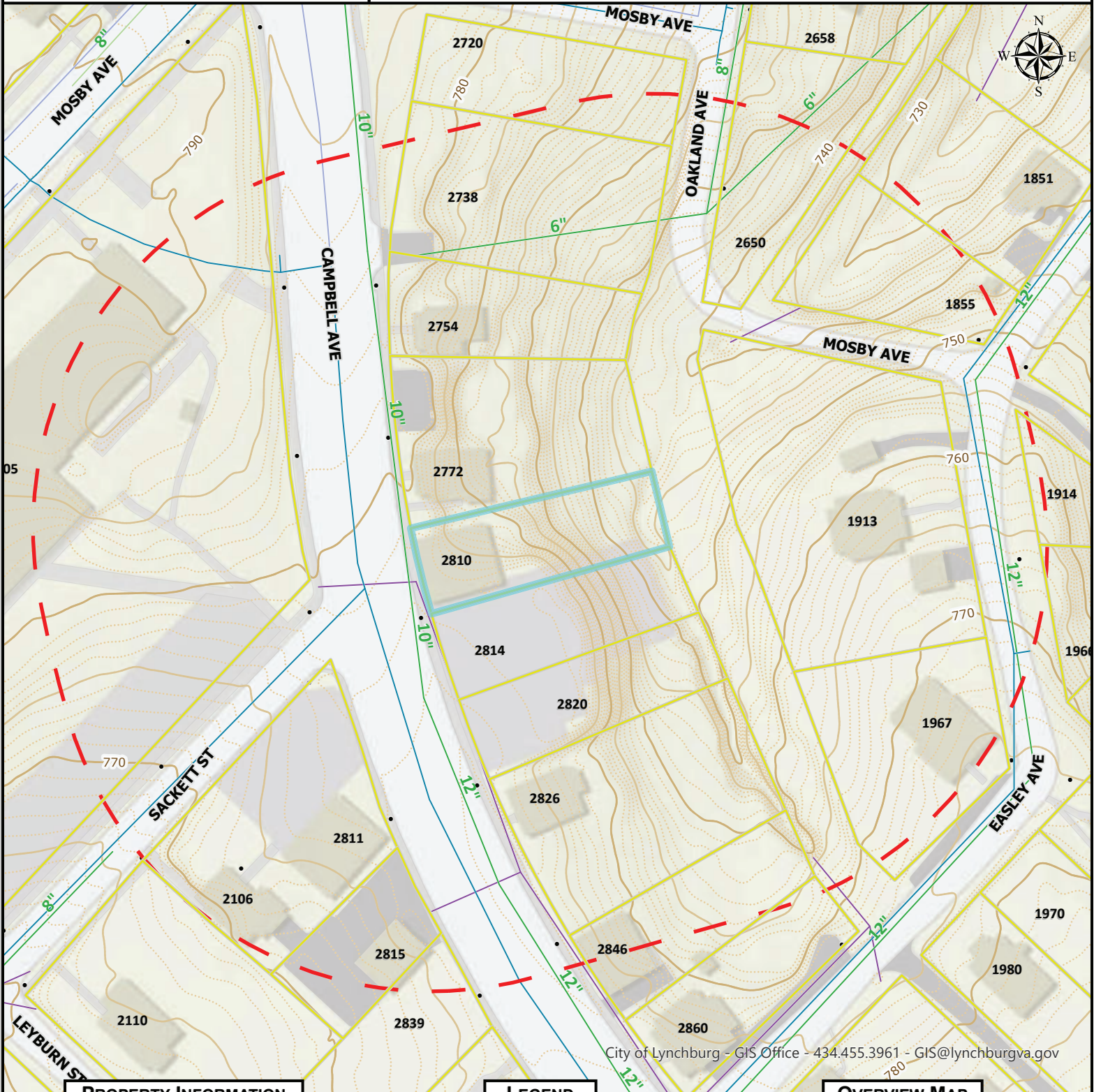
- Subject Property
- Base Flood Elevation
- Floodway
- Floodzone
- River / Lake / Stream

MAP SCALE: 1:916

DATE PRINTED: 10/10/2024

OVERVIEW MAP





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

PROPERTY INFORMATION

PARCEL ID	ADDRESS
08313003	2810 CAMPBELL AVE

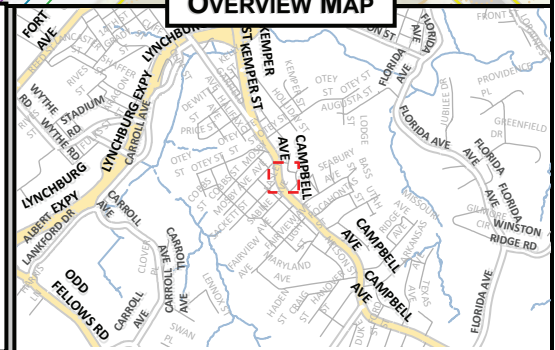
LEGEND

	Active	Proposed	Abandoned
Utilities	Water	Sanitary	Storm
	Paved	Unpaved	Other
Planimetrics	Structure	Roadway	Parking
	Sidewalk	Driveway	
Topography	Contour		
	100'	50'	20'
			10'
			5'
			1'

MAP SCALE: 1:916

DATE PRINTED: 10/10/2024

OVERVIEW MAP





October 15, 2024

City of Lynchburg
Rachel Frischeisen, City Planner
900 Court Street
Lynchburg, VA 24505

RE: 2810 Campbell Avenue Proposed Conditional Use Permit

This petition is made at the request of Mr. Frank Chicas. Currently, the subject site is zoned B-1 Limited Business. Mr. Chicas is requesting a Conditional Use Permit for multi-household structures. The site is surrounded to the East and West by all R-3 Zoning. Immediately adjacent to the site are other B-1 zonings, however, many of these properties are blighted and unoccupied.

In order to make the site a more viable property and to re-purpose an otherwise empty building, Mr. Chicas is requesting a conditional use permit so that the building can be renovated into three (3) dwelling units. The future land use map suggests mixed-use development for this property. Given its multi-family residential component, this would fit with a mixed-use type development.

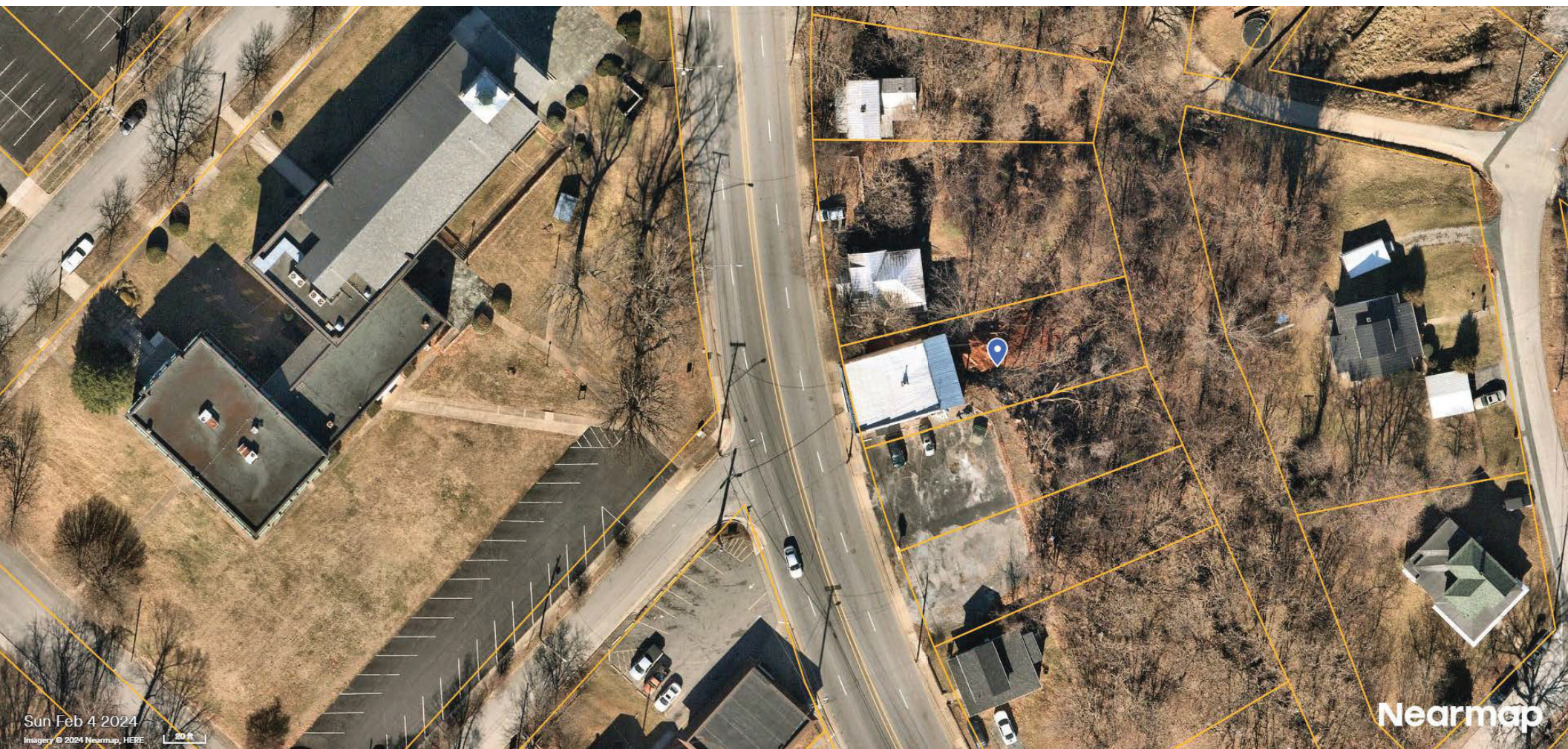
Please feel free to reach out to our office should you have any questions regarding the items in this feasibility study or potential development.

Best Regards,

A handwritten signature in black ink, reading "Amy K. Seipp", written over a horizontal line.

Amy K. Seipp, PE
Partner, Principal Engineer





Conditional Use Permit
2810 Campbell Ave
December 11, 2024

PLEASE PRINT CLEARLY

[illegible]



AGENDA ITEM SUMMARY

MEETING DATE

January 14, 2025

PRESENTED BY

Ken Edwards, Deputy Chief of Police

AGENDA ITEM # IV.4

City-Wide Youth Curfew

RECOMMENDATION

Establishment of a City-Wide Youth Curfew, that without further action, will automatically expire and repeal on February 18, 2026

SUMMARY

- The City-Wide Youth Curfew ordinance expired on January 1, 2025
- The Lynchburg Police Department (LPD) has been collecting data on the curfew since it began on May 26, 2023
- As of December 31, 2024, forty-nine (49) individuals have been charged with violating the curfew
- The curfew continues to provide another tool for officers to address delinquent behavior

PRIOR ACTION(S)

May 28, 2024: Ordinance #O-24-045 extending the “sunset” or expiration/repeal date of the City-Wide Youth Curfew ordinance from June 1, 2024, to January 1, 2025, was adopted.

FISCAL IMPACT

N/A

CONTACT(S)

Ken Edwards, Deputy Chief of Police

ATTACHMENT(S)

1. Proposed Youth Curfew Ordinance (2025)
2. City-Wide Youth Curfew Presentation

REVIEWED BY

Ryan Zuidema, Chief of Police

Date: January 08, 2025



Mercedes Braun, Assistant to the City Manager

Date: January 08, 2025



Wynter Benda, City Manager

Date: January 09, 2025



Alicia Finney, Clerk of Council

Date: January 09, 2025

ORDINANCE:

#O-25-__

AN ORDINANCE TO AMEND AND REENACT THE CODE OF THE CITY OF LYNCHBURG, 1981, BY ADDING THERETO A NEW SECTION 27-28 OF ARTICLE I OF CHAPTER 27; SUCH NEW SECTION BEING THE ESTABLISHMENT OF A CITY-WIDE YOUTH CURFEW, THAT WITHOUT FURTHER ACTION, WILL AUTOMATICALLY EXPIRE AND REPEAL ON FEBRUARY 18, 2026.

WHEREAS, the purpose of this Ordinance is to (i) promote the general welfare and protect the general public through the reduction of juvenile violence and crime within the City; (ii) promote the safety and well-being of the City's youngest citizens, persons under the age of eighteen (18), whose inexperience renders them particularly vulnerable to becoming participants in unlawful activities, particularly unlawful drug and firearm activities, and to being victimized by older perpetrators of crime; and (iii) foster and strengthen parental responsibility for children.

NOW, THEREFORE, 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 a new Section 27-28 of Article I of Chapter 27 as follows:

Sec. 27-28. Curfew.

(a) Definitions. As used in this section, the following words and phrases shall have the following meanings ascribed to them below:

Curfew hours refers to the hours of 11:00 p.m. until 5:00 a.m. on the following day.

Emergency refers to unforeseen circumstances, or the status or condition resulting therefrom, requiring immediate action to safeguard life, limb or property. The term includes, but is not limited to, fires, natural disasters, automobile accidents, or other similar circumstances.

Establishment refers to any privately-owned place of business within the City of Lynchburg, Virginia ("City") operated for a profit, to which the public is invited, including, but not limited to, any place of amusement or entertainment. With respect to such establishment, the term "operator" shall mean any person, and any firm, association, partnership (and the members or partners thereof) and/or any corporation (and the officers thereof) conducting or managing that establishment.

Minor refers to any person under eighteen (18) years of age who has not been emancipated by court order entered pursuant to Section 16.1-333 of the Code of Virginia, 1950, as amended, and is not enlisted in the United States Armed Forces.

Officer refers to a police or other law-enforcement officer charged with the duty of enforcing the laws of the Commonwealth of Virginia and/or the ordinances of the City.

Parent refers to:

- (1) A person who is a minor's biological or adoptive parent and who has legal custody of a minor (including either parent, if custody is shared under a court order or agreement);
- (2) A person who is the biological or adoptive parent with whom a minor regularly resides;
- (3) A person judicially appointed as a legal guardian of the minor; and/or
- (4) A person eighteen (18) years of age or older standing in *loco parentis* (as indicated by the prior written authorization of an individual listed in part(s) (1), (2) or (3) of this definition, above, for the person to assume the care or physical custody of the minor).

Person refers to an individual, not to any association, corporation, or any other legal entity.

Public place refers to any place to which the public or a substantial group of the public has access, including, but not limited to, streets, highways, roads, sidewalks, alleys, avenues, parks, and/or the common areas of schools, hospitals, apartment houses, office buildings, transportation facilities and shops.

Remain refers to the following actions:

- (1) To linger or stay at or upon a place; and/or
- (2) To fail to leave a place when requested to do so by an officer or by the owner, operator or other person in control of that place.

(b) Violation of Curfew - Minors.

It shall be unlawful for a minor, during curfew hours, to remain in or upon any public place within the City, to remain in any motor vehicle operating or parked therein or thereon, or to remain in or upon the premises of any establishment within the City, unless:

- (1) The minor is accompanied by a parent;
- (2) The minor is involved in an emergency;
- (3) The minor is engaged in an employment activity, or is going to or returning home from such activity, without detour or stop;
- (4) The minor is on the sidewalk directly abutting a place where they reside with a parent, and such parent is inside the residence;

(5) The minor is attending an activity sponsored by a school, religious, or civic organization, by a public organization or agency, or by another similar organization or entity, which activity is supervised by adults, and/or the minor is going to or returning from such an activity without detour or stop;

(6) The minor is on an errand at the direction of a parent, and the minor has in their possession a writing signed by the parent containing the following information: the name, signature, address and telephone number of the parent authorizing the errand, the telephone number where the parent may be reached during the errand, the name of the minor, and a brief description of the errand, the minor's destination(s) and the hours the minor is authorized to be engaged in the errand;

(7) The minor is involved in interstate travel through, or beginning or terminating in, the City; or

(8) The minor is exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech and the right of assembly.

(c) Violation of Curfew - Parents.

It shall be unlawful for a minor's parent to knowingly permit, allow or encourage such minor to violate this section.

(d) Violation of Curfew – Motor Vehicle Operators.

It shall be unlawful for a person who is the owner or operator of any motor vehicle to knowingly permit, allow or encourage a minor to violate this section.

(e) Violation of Curfew – Establishment Operators/Employees.

It shall be unlawful for the operator of any establishment, or for any person who is an employee thereof, to knowingly permit, allow or encourage a minor to remain upon the premises of the establishment during curfew hours. It shall be a defense to prosecution under this subsection that the operator or employee of an establishment promptly notified the Lynchburg Police Department that a minor was present at the establishment after curfew hours and refused to leave.

(f) Violation of Curfew – False Information.

It shall be unlawful for any person (including any minor) to give a false name, address, or telephone number to any officer investigating a possible violation of this section.

(g) Enforcement of Curfew.

(1) Minors. Before taking any enforcement action hereunder, an officer shall make an immediate investigation for the purpose of ascertaining whether or

not the presence of a minor in a public place, motor vehicle and/or establishment within the City during curfew hours is in violation of this section. If such investigation reveals that the presence of such minor is in violation of this section, then the officer may charge the minor with a violation of this section and may issue a summons requiring the minor to appear in court (Ref. Va. Code § 16.1-260(H)(1)). Where required, the officer will release the minor to their parent(s).

(2) *Violation.* A violation of this section shall be punishable as a Class 4 misdemeanor, and a summons charging the same may be issued for such violation directing the minor and/or person to appear in court.

2. That, in accordance with § 38 – A (1) of the Charter for the City of Lynchburg, Virginia, this Ordinance shall be published by “pamphlet” by the Clerk of Council and become effective February 17, 2025, which is no less than thirty (30) days from the adoption date of this Ordinance.

3. That, without further action, this Ordinance shall automatically expire and repeal on February 18, 2026.

Adopted:

Certified:

Clerk of Council



THE CITY OF LYNCBURG

BIB: CITY-WIDE YOUTH CURFEW

Tuesday, January 14, 2025



PURPOSE & ACTION

Purpose:

Extend the City-Wide Youth Curfew through February 18, 2026

Why:

- **The curfew expired on January 1, 2025**
- **The Lynchburg Police Department (LPD) has been collecting data on the curfew since it began on May 26, 2023**
- **As of December 31, 2024**
 - 49 individuals have been charged with violating the curfew

EXPECTED ACTION

- Establishment of a City-Wide Youth Curfew effective February 17, 2025, that without further action, will automatically expire and repeal on February 18, 2026
- The City-Wide Youth Curfew continues to provide another tool for officers to address delinquent behavior
- Correlation remains between the curfew and reduced juvenile crime
 - Stratified Policing has assisted

JUVENILE OFFENDERS – PROPERTY CRIME AND VIOLENT CRIME (11:00PM – 5:00AM)

Juvenile Offenders - Property Crime and Violent Crime								
Offense	2020	2021	2022	2023*	2024	5 Year Average	%▲ from 2023	%▲ from 5 Year Average
Aggravated Assault	0	0	0	1	1	0.4	0%	150%
Larceny	2	1	1	4	4	2.4	0%	67%
Motor Vehicle Theft	0	0	3	7	3	2.6	-57%	15%
Robbery	2	2	5	1	0	2	-100%	-100%
Sexual Assault	0	3	3	2	3	2.2	50%	36%
Total	4	6	12	15	11	9.6	-27%	15%



JUVENILE VICTIMS – PROPERTY CRIME AND VIOLENT CRIME (11:00PM – 5:00AM)

Juvenile Victims - Property Crime and Violent Crime								
Offense	2020	2021	2022*	2023	2024	5 Year Average	% ▲ from 2023	% ▲ from 5 Year Average
Aggravated Assault	1	8	1	5	4	3.8	-20%	5%
Homicide	0	0	0	1	0	0.2	-100%	-100%
Larceny	1	4	2	4	5	3.2	25%	56%
Motor Vehicle Theft	0	2	0	0	0	0.4	0%	-100%
Robbery	1	2	0	2	2	1.4	0%	43%
Sexual Assault	10	22	9	11	8	12	-27%	-33%
Total	13	38	12	23	19	21	-17%	-10%





THE CITY OF LYNCHBURG