



CITY COUNCIL WORK SESSION

Tuesday, October 28, 2025 | 4:00 PM
2nd Floor Training Room- 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. **Business Item Briefing(s)**
 - III.1. 3200 Carroll Avenue - Conditional Use Permit (CUP) - Pickleball Athletic Club
 - III.2. 2134 Westerly Drive - Conditional Use Permit (CUP) - Group Home
 - III.3. 1701 and 1703 Wards Ferry Road - Rezoning - Apartments
- IV. **Work Session Agenda Items**
 - IV.4. VCOIA Council Training
- V. **Roll Call**
- VI. **Closed Session**

AGENDA ITEM SUMMARY**MEETING DATE**

October 28, 2025

PRESENTED BY

Rachel Frischeisen, City Planner

AGENDA ITEM # III.1

3200 Carroll Avenue - Conditional Use Permit (CUP) - Pickleball Athletic Club

RECOMMENDATION

This item will appear for City Council vote on the November 12, 2025, Public Hearing agenda. Approval of the Conditional Use Permit (CUP) petition to allow the use of an existing structure as an athletic club for pickleball in an I-2, Light Industrial District at 3200 Carroll Avenue.

SUMMARY

Dantas Properties, LLC is petitioning for a CUP to allow the use of an existing structure as an athletic club for pickleball in an I-2, Light Industrial District at 3200 Carroll Avenue.

The property is zoned I-2, Light Industrial District. In this district, athletic clubs and recreational sports facilities are permitted upon approval of a CUP by Council. The *Comprehensive Plan 2013-2030 Future Land Use Map (FLUM)* recommends an Employment 2 use for the subject property. The structure proposed to house the pickleball club was constructed as part of a by-right development. The pickleball club itself would be a tenant buildout and should have limited impact on the surrounding area. The structure could be converted back to industrial space as needed.

PRIOR ACTION(S)

September 24, 2025: The Planning Commission recommended approval (5-0, with 2 absent: Woodson, Young-Jefferson) of the CUP petition.

September 24, 2025: The Planning Division recommended approval of the CUP petition.

FISCAL IMPACT

N/A

CONTACT(S)

Rachel Frischeisen, City Planner

ATTACHMENT(S)

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

REVIEWED BY



William Martin, Community Development Director

Date: October 20, 2025



Kent White, Assistant City Manager

Date: October 22, 2025



Alicia Finney, Clerk of Council

Date: October 23, 2025

3200 CARROLL AVENUE CONDITIONAL USE PERMIT

Tuesday, October 28, 2025



PURPOSE & ACTION

Purpose:

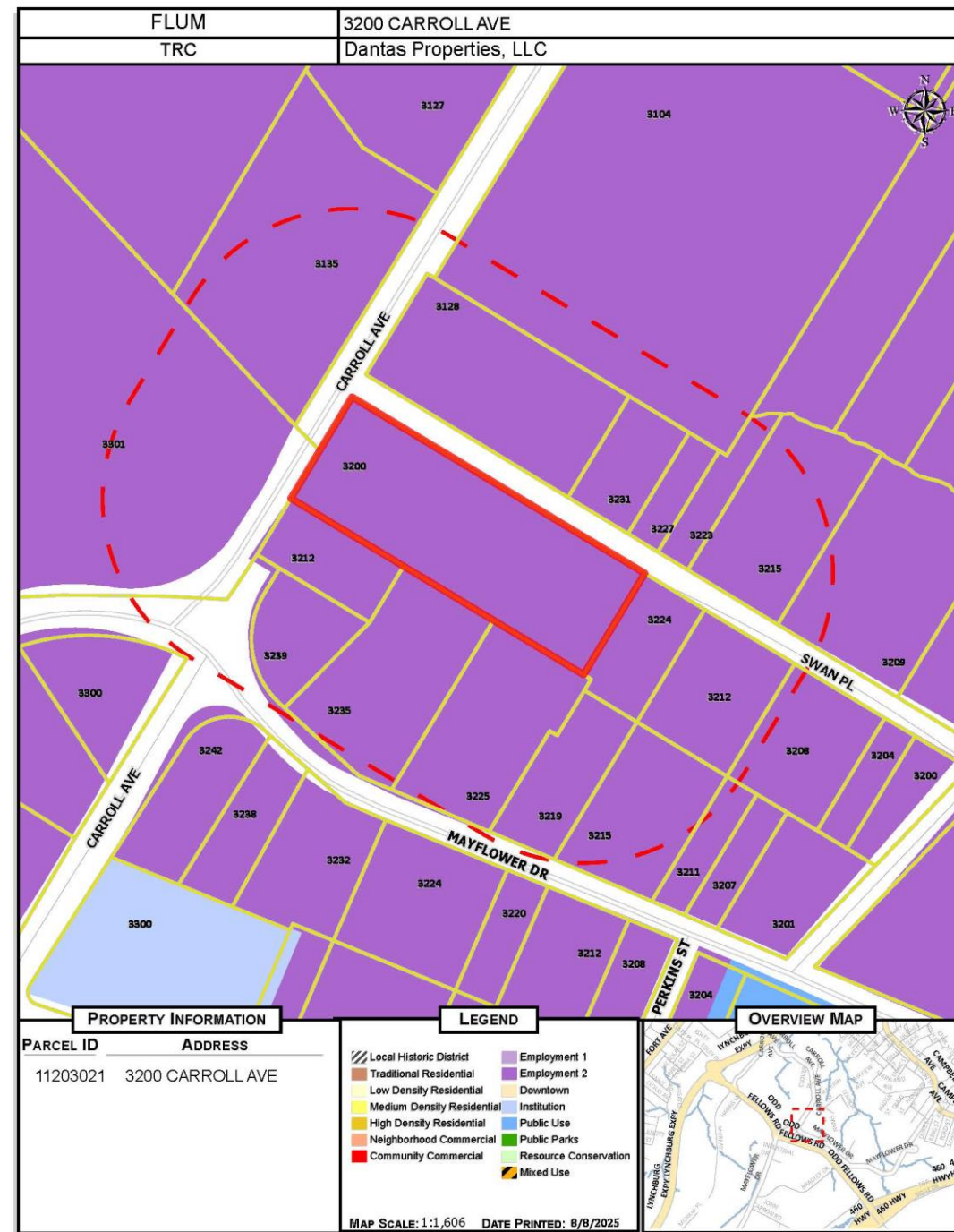
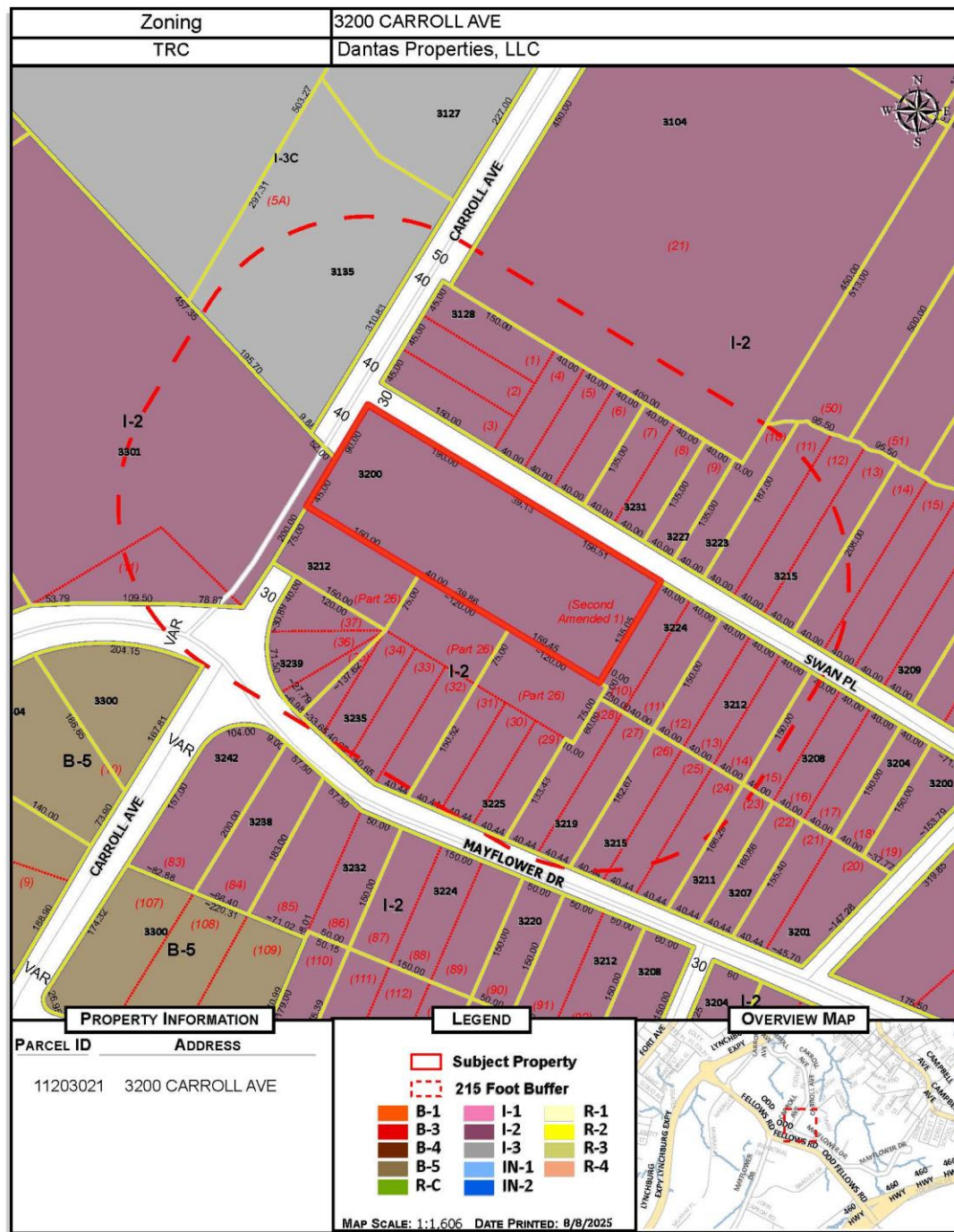
Petition of Dantas Properties, LLC for a Conditional Use Permit (CUP) in a I-2, Light Industrial District to allow the use of an existing structure as an athletic club for pickleball at 3200 Carroll Avenue.

Recommendation:

The Planning Commission recommended approval (5-0, with 2 absent) of the CUP petition.

Action:

A City Council public hearing will be held on November 12, 2025.



SITE & EXTERIOR ELEVATIONS

PARKING CALCS:

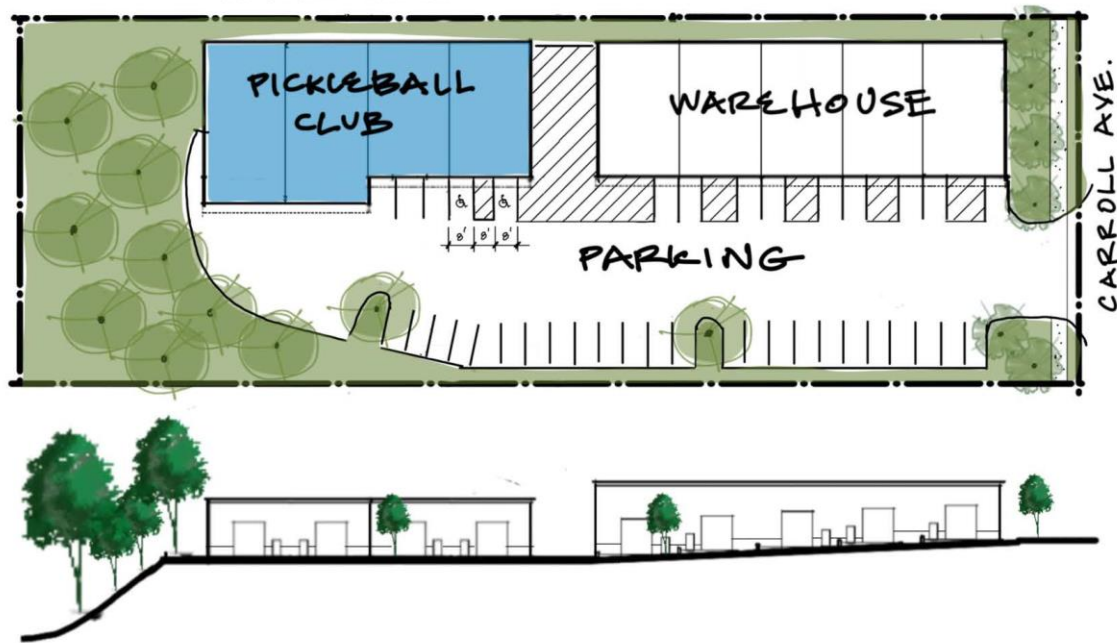
WAREHOUSE:

12 SPACES FOR WAREHOUSE
(2 PER 3 EMPLOYEES = 18 EMPLOYEES)

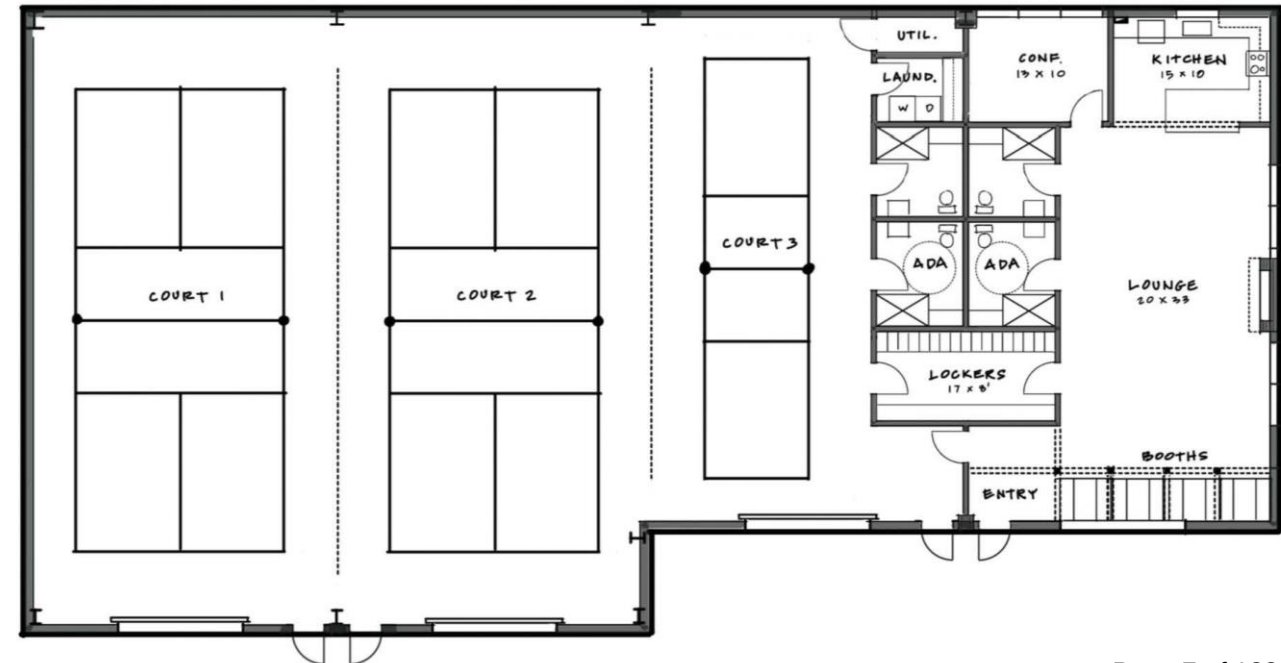
ATHLETIC CLUB:

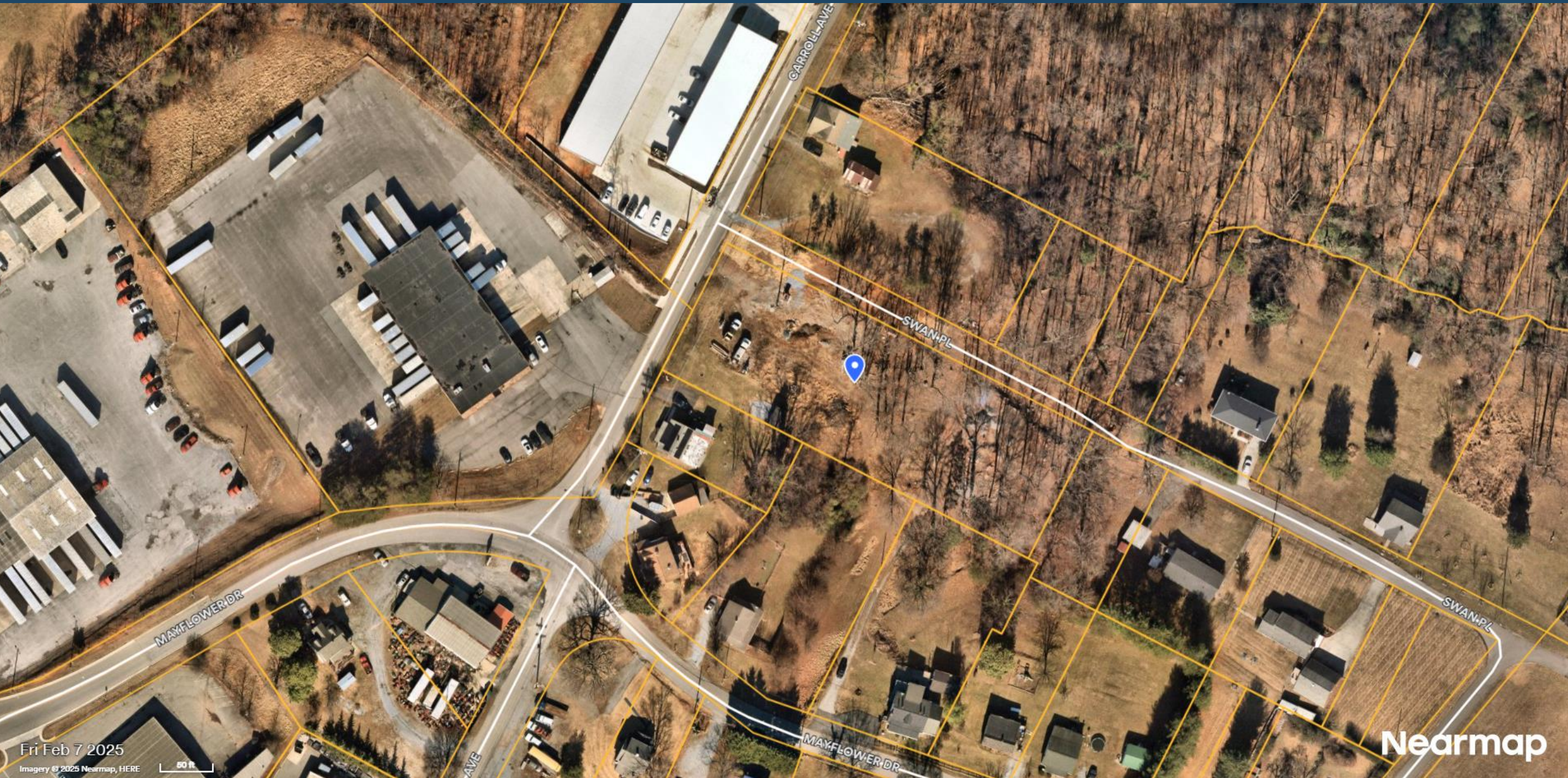
24 SPACES FOR PICKLEBALL CLUB
(96 MAX. OCCUPANCY)

36 TOTAL SPACES



CONCEPT FLOOR PLAN





Fri Feb 7 2025

Imagery © 2025 Nearmap, HERE

50 ft

Nearmap

MINUTES OF THE SEPTEMBER 24, 2025 PLANNING COMMISSION MEETING (MINUTES HAVE BEEN APPROVED):

Petition of Dantas Properties, LLC for a Conditional Use Permit in an I-2, Light Industrial District to allow the use of an existing structure as an athletic club for pickleball at 3200 Carroll Avenue.

Ms. Eve Mergenthaler, Senior Planner, provided the following summary to the Commission. Dantas Properties, LLC has submitted a petition for a Conditional Use Permit to allow the use of an existing structure as an athletic club for pickleball in an I-2, Light Industrial District at 3200 Carroll Avenue. The subject property was annexed into the City in 1958 and the existing I-2, Light Industrial District zoning was established in 1978. In this district, athletic clubs and recreational sports facilities are permitted upon approval of a CUP by Council. The *Comprehensive Plan 2013-2030* Future Land Use Map (FLUM) recommends an Employment 2 use for the subject property. The property is bound by a mix of residential and commercial uses, but the immediate surrounding area is zoned industrial. The subject property consists of approximately one and twenty-one hundredths (1.21) acres and contains a one-story, steel frame structure constructed in 2025. The structure is approximately six thousand, six hundred (6,600) square feet in size and the petitioner is proposing to house the pickleball club in this building. The club would be a tenant buildout with two (2) full sized courts, one (1) practice court, locker rooms, bathrooms, and a lounge area. An additional seven thousand, five hundred (7,500) square foot structure has been permitted for construction adjacent to the subject structure. The use of the existing structure as a pickleball club should have limited impact on the surrounding area. The club will only use a portion of the subject property and the adjacent structure may still be used as industrial space. The club will be a tenant buildout and the subject structure could be converted back to industrial space as needed. The Technical Review Committee (TRC) reviewed the petition on August 19, 2025 and comments were minor in nature. The Planning Division recommends approval of the CUP petition.

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

Norm Walton of Perkins & Orrison was present to represent the petition. Based on the original site plan this space was intended to be a warehouse, but through marketing they determined it would serve the area better as a pickle ball club. Except for some reorganization of parking spaces there are no modifications needed to the site plan to make this into an athletic club.

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

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

Mr. Todd Hall said he was opposed to the building being used as a pickleball club. He believes this will negatively impact the values of the homes in the surrounding area. The main issues he had with the petition were the outdoor lighting and possibility of increased noise from traffic and people as the facility will be open twenty-four hours a day, seven days a week. He requested that there be several more items done for this petition such as a noise impact study, traffic study, lighting study and a consideration of the quality of life of residents.

Chair Rogers offered the petitioner a chance for a rebuttal.

Mr. Walton replied to Mr. Hall's concerns regarding noise and lighting. All of the courts for the club will be indoors and users will need to call in for a scheduled timeslot to play. Given the number of courts there should, roughly, be only ten (10) people at the facility at any given time. On the original site plan there had not been outdoor lighting proposed, but if it is installed it will have to meet the shielding requirements of City Code. The code does protect for glare distribution across the property lines.

With there being no further members of the public who wished to speak on the petition, Chair Rogers closed the public hearing.

Commissioner Gammon asked Ms. Frischeisen if there had been a lighting plan for the original site plan.

Ms. Rachel Frischeisen replied that she could not speak to the site plan at the moment. Regardless of the building use, the outdoor lighting would follow the requirements for the Light Industrial district, I-2.

Commissioner Perault commented that lighting has come up before and the city has a good plan in place to reduce light pollution. He said if the neighborhood is concerned about the lighting there are certainly different ways to address it, such as shielding or direct illumination.

Commissioner Henderson asked if the building currently on the property was to be the pickleball club.

Ms. Mergenthaler replied the existing building is the one they are proposing to use.

Commissioner Gammon asked if the site was incomplete.

Ms. Frischeisen replied it is incomplete.

Mr. Walton elaborated that the foundation shown in the image is for the second warehouse. The existing building on the site is to be used as the pickleball club.

Commissioner Gammon asked if the building will operate twenty-four hours a day, seven days a week.

Mr. Tim Dantas of Dantas Properties, LLC replied the facility is open to members twenty-four seven, and can be accessed with a key fob. There will be no employees on site and everything will be monitored electronically. They don't believe that people will be using the facility at all hours, however, they have no issue with restricting hours.

Commissioner Gammon asked if the building will be insulated.

Mr. Dantas responded the building was already insulated. With the insulation there is minimal noise transfer between office units in similar building that they have constructed.

Commissioner Gammon asked how far away this building was from residential uses.

Mr. Dantas replied there were some homes across the street.

Ms. Frischeisen reminded the commission that there were many by-right uses that would be far nosier than pickleball.

Chair Rogers commented that they could not speak to any impact on home values. The lighting is a valid question since there is a substantial surrounding area that has residential use. He would like to hear more about city requirements on parking lot lighting.

Mr. Dantas responded the buildings they have constructed have wall pack lighting in front of the doors. The potential pickleball club has trees that shield it from most neighbor's view. Outdoor lighting would not flood onto neighbors' property. They initially spoke with their two (2) closest neighbors and asked them if they had any concerns. He said they did not have any. Old Dominion Freight Line is right by this property and they have floodlights that are always on.

Commissioner Perault stated that compared to alternative by-right uses, a fitness center was the better option. There are three (3) courts proposed meaning a maximum of twelve (12) people. There will not be a lot of traffic.

Commissioner Gammon asked if there were two (2) trucking companies by them.

Mr. Dantas responded there were and the trucks run twenty-four hours a day. He said that the community of smaller business that have moved into the other flex warehouse spaces they have built are interested in having the pickleball club.

Commissioner Gammon asked Mr. Hall if he felt that the pickleball club would be noisier than the trucking companies already there.

Mr. Hall responded that he would not be satisfied unless there was something in writing that addresses the noise and lighting.

Commissioner Gammon asked if he was looking for a decibel level guarantee.

Mr. Hall responded nothing had been said about the parking lot lighting. The building is further back in the property and is closer than it looks to the residential area.

Commissioner Rogers asked staff what uses could go into the building for I-2.

Ms. Mergenthaler listed several possible uses for I-2.

Chair Rogers said he had visited the site and the entrances seemed to be facing away from the residential property. He asked if there was lighting on the back of the building.

Mr. Dantas replied there was no lighting on the back of the building. The lighting is designed to illuminate the entrances and the parking lot. He added that there would be limited membership for the pickleball club, similar to a golf club.

Commissioner Cox asked if there was lighting at the site currently.

Mr. Dantas responded that they have some utilities, but AEP had not yet connected them as they are still under construction. One building is complete and another is currently under construction. The wall pack lighting they have on other buildings they have built in the area have worked well.

Commissioner Cox asked if the lightning for those were acceptable and done correctly based on the site plan.

Ms. Frischeisen replied if the lighting was installed the way it was shown on the site plan, then yes it would meet the ordinance. The city operates on a complaint basis. If there is more light trespass than allowed the Zoning Administrator can measure it and address the complaint.

Commissioner Cox asked if there was any deviation from the site plan.

Mr. Dantas replied no, whatever is on it is turned into the contractors.

Chair Rogers asked if they had any parking lot lighting planned in the front.

Mr. Dantas replied they do not.

Commissioner Cox asked what would happen if they changed the lightning.

Ms. Mergenthaler replied it would be treated as an amendment to the site plan.

Commissioner Perault commented they would be having a completely different conversation if these courts were outdoors. These are indoors and there will be no parking lot lighting and will have less impact

than other possible uses. He supported the petition.

Commissioner Gammon agreed. He considered this to be a positive addition to have a fitness place nearby.

Commissioner Henderson commented that this was a great opportunity for the community.

Commissioner Henderson made the following motion, seconded by Commissioner Gammon. The motion to approve passed by the following vote:

"Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of Dantas Properties, LLC, for a Conditional Use Permit at 3200 Carroll Avenue to allow the use of an existing structure as a pickleball athletic club."

AYES: Cox, Gammon, Henderson, Perault, Rogers	5
NOES:	0
ABSTENTIONS:	0
ABSENT: Woodson, Young-Jefferson	2

The Department of Community Development

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

To: Planning Commission
From: Planning Division
Date: September 24, 2025
Re: **Conditional Use Permit (CUP) – Pickleball Athletic Club – 3200 Carroll Avenue**

I. PETITIONER

Property Owner: Dantas Properties, LLC, 3127 Carroll Avenue, Lynchburg, Virginia 24501
Representative: Tim Dantas, Owner of Dantas Properties, LLC, 3127 Carroll Avenue, Lynchburg, Virginia 24501

II. LOCATION

The subject property consists of approximately one and twenty-one hundredths (1.21) acres located at 3200 Carroll Avenue.

III. PURPOSE

The purpose of the CUP petition is to allow the use of an existing structure as an athletic club for pickleball in an I-2, Light Industrial District.

IV. SUMMARY

- The property is zoned I-2, Light Industrial District. In this district, athletic clubs and recreational sports facilities are permitted upon approval of a CUP by Council.
- The *Comprehensive Plan 2013-2030* Future Land Use Map (FLUM) recommends an Employment 2 use for the subject property.
- The use of the existing structure as a pickleball club should have limited impact and the structure could be converted back to industrial space as needed.

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 an Employment 2 use for the subject property. Employment 2 use areas are intended to include light and heavy manufacturing, research and development, flex space, and large-scale office uses. Restaurant, hotel and business service uses are also appropriate, if sized and designed to serve the employment area (p.76).
2. **Zoning.** The subject property was annexed into the City in 1958. The existing I-2, Light Industrial 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 December 13, 2022, City Council approved the petition of Grace Orthodox Presbyterian Church to rezone 3300 Carroll Avenue from I-2, Light Industrial District to B-5, General

Business District to bring the existing church into conformity with the Zoning Ordinance and allow expansion of the Church.

- On July 13, 2004, City Council approved the petition of Quarles Fuel Network to rezone 3100 Mayflower Drive and Odd Fellows Road from I-2, Light Industrial District and I-3, Heavy Industrial District to I-3C, Heavy Industrial District (Conditional); and for a Conditional Use Permit to allow the operation of an automated fueling facility.
- On October 13, 1998, City Council approved the petition of Center Point, LLC to rezone 3417 Odd Fellows Road from I-2, Light Industrial District to B-3, Community Business District to allow the construction of a bank.
- On June 11, 1996, City Council approved the petition of Danny Crews, T/A Lovelace Oil, to rezone 3127 Carroll Avenue from I-2, Light Industrial District to I-3C, Heavy Industrial District (Conditional); and for a Conditional Use Permit to allow the construction and operation of a petroleum fuel facility.
- On December 8, 1987, City Council approved Centel Cellular Company's Conditional Use Permit petition to allow the construction and operation of a radio transmission tower in an I-3, Heavy Industrial District located on the west side of Mayflower Drive at its intersection with the proposed industrial drive.

5. **Site Description.** The subject property consists of approximately one and twenty-one hundredths (1.21) acres located at 3200 Carroll Avenue. The property contains a one-story, steel frame structure constructed in 2025. The structure is approximately six thousand, six hundred (6,600) square feet in size. A seven thousand, five hundred (7,500) square foot structure has been permitted for construction adjacent to the subject structure.

The property is bound to the north by a mix of residential and commercial uses, to the east and south by residential uses, and to the west (across Carroll Avenue) by commercial uses. The immediate surrounding area is zoned Industrial.

6. **Proposed Use of Property.** If the petition is approved, the existing six thousand, six hundred (6,600) square foot structure would be used as a pickleball athletic club. The club would be a tenant buildout with two (2) full sized courts, one (1) practice court, locker rooms, bathrooms, and a lounge area.
7. **Traffic, Parking and Public Transit.** The petitioner was not required to conduct a traffic analysis as part of this petition.

Parking, sidewalk, and driveway improvements are currently under construction. Twenty-four (24) parking spaces are proposed for the pickleball club, which meets the Zoning Ordinance requirement for the proposed use. Additional parking spaces will also be constructed to serve the adjacent building.

The site is not directly served by the Greater Lynchburg Transit Company (GLTC) but route 9 runs along a portion of Odd Fellows Road. The nearest bus stop, for this route, is located at 3120 Odd Fellows Road.

8. **Stormwater Management.** An Erosion & Sediment Control Plan is required when disturbed areas exceed one thousand (1,000) square feet. A stormwater management plan is required when disturbed areas exceed five thousand (5,000) square feet. Both stormwater management / erosion & sediment control have been accounted for in an approved site plan. Quality / quantity will be addressed with one (1) underground detention facility and a hydrodynamic separator.

9. **Emergency Services:** The City's Fire Marshal and Police Department had no comments of concern regarding the proposal.
 10. **Impact.** Athletic clubs and recreational sports facilities are a permitted use in I-2, Light Industrial Districts upon approval of a conditional use permit by City Council. The use of the existing structure as a pickleball club should have limited impact on the surrounding area, which is a mix of residential and commercial uses. The pickleball club will only use a portion of the subject property. The adjacent structure, which is currently under construction, may still be used as industrial space. Membership in the club will require a fee and use of the courts will require a reservation, limiting the number of people in the building at any one time. The pickleball club will be a tenant buildout and the structure could be converted back to industrial space as needed.
 11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the CUP petition on August 19, 2025. 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 Dantas Properties, LLC, for a conditional use permit at 3200 Carroll Avenue to allow the use of an existing structure as a pickleball athletic club.

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
Tim Dantas, Dantas Properties, LLC

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

3200 CARROLL AVE

TRC

Dantas Properties, LLC



PROPERTY INFORMATION

PARCEL ID

ADDRESS

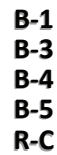
11203021

3200 CARROLL AVE

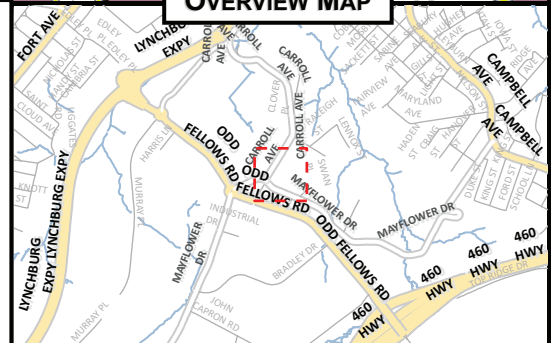
LEGEND

Subject Property

215 Foot Buffer



OVERVIEW MAP



MAP SCALE: 1:1,606 DATE PRINTED: 8/8/2025

3200 Carroll Avenue

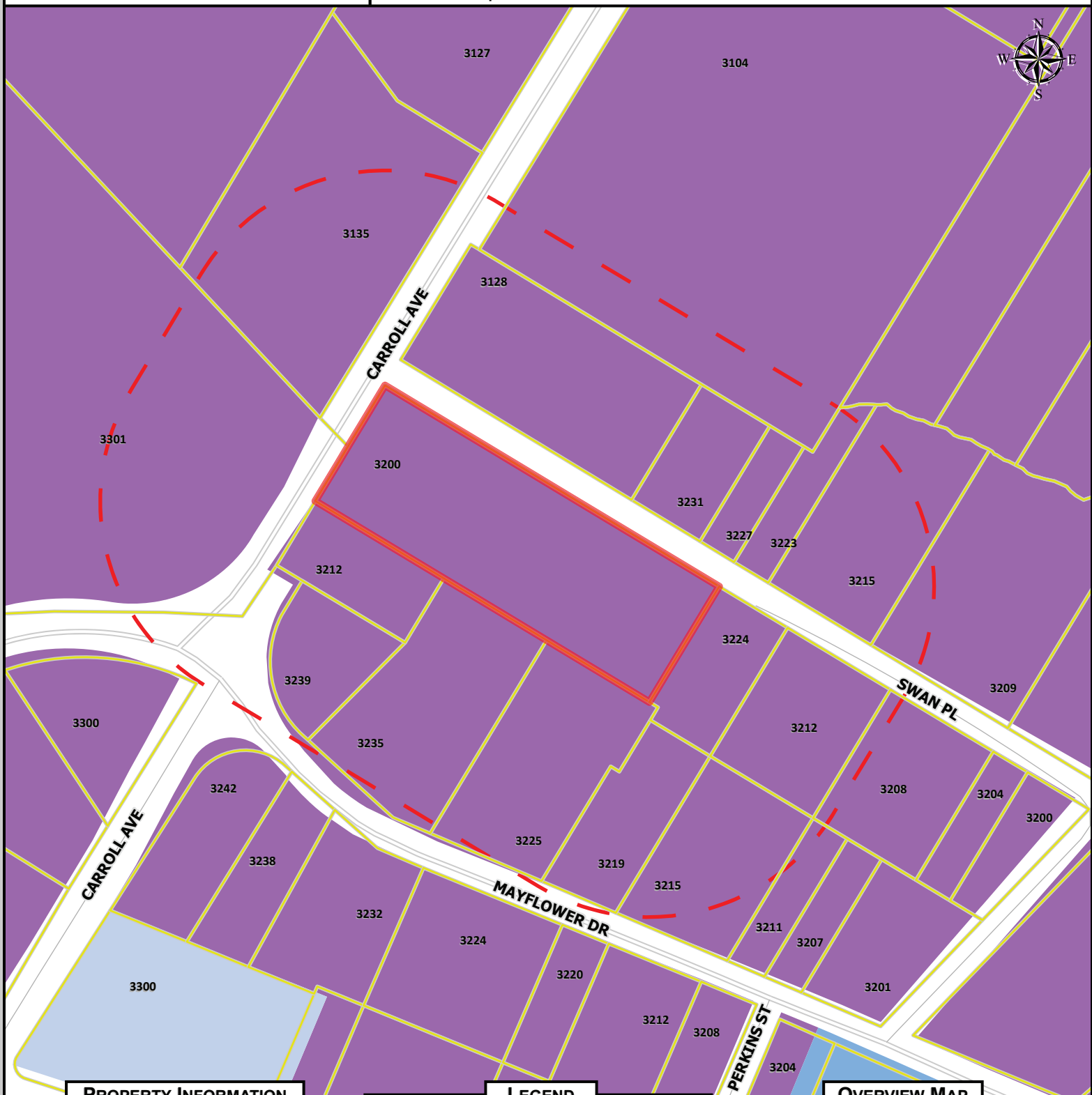
Parcel ID	Address	Owner
11203004	3211 MAYFLOWER DR	ANDERS, JANET D
11203005	3215 MAYFLOWER DR	GALLAGHER, RICHARD A & DEBBIE
11203008	3219 MAYFLOWER DR	JOHNSON, CARRIE P
11203010	3225 MAYFLOWER DR	JOHNSON, CARRIE P
11203033	3208 SWAN PL	ANDERS, JANET D
11203030	3212 SWAN PL	OGDEN, JAMIE L
11203028	3224 SWAN PL	OGDEN, JAMIE L
11203018	3212 CARROLL AVE	STOUT, MICHO L WADE
11204011	3209 SWAN PL	RICKSECKER, DAVID C
11204019	3227 SWAN PL	GRAHAM, CHARLES R & JOY L
11204015	3215 SWAN PL	GRAHAM, CHARLES R & JOY L
11204018	3223 SWAN PL	GRAHAM, CHARLES R & JOY L
11203021	3200 CARROLL AVE	DANTAS PROPERTIES LLC
11204020	3231 SWAN PL	GRAHAM, CHARLES R & JOY L
11204022	3128 CARROLL AVE	KIRK, T ARCHER
11204028	3104 CARROLL AVE	HILL CITY REAL ESTATE LLC
11203016	3239 MAYFLOWER DR	FAIRVIEW HOMES LLC
11203013	3235 MAYFLOWER DR	HALL, LEOTA F. HALL, LISA R., AND D. TODD
05104003	3301 MAYFLOWER DR	MAYFLOWER OZ FUND LLC
05104013	3135 CARROLL AVE	DANTAS PROPERTIES LLC

FLUM

3200 CARROLL AVE

TRC

Dantas Properties, LLC



PROPERTY INFORMATION

PARCEL ID

ADDRESS

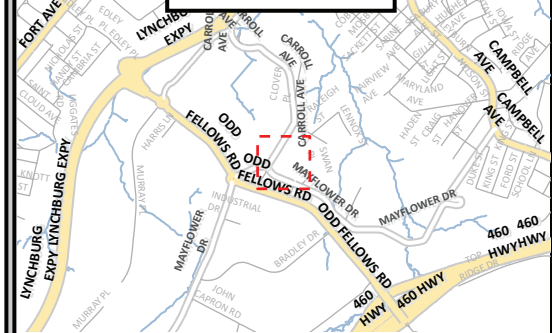
11203021 3200 CARROLL AVE

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: 1:1,606 DATE PRINTED: 8/8/2025

OVERVIEW MAP



Watershed

3200 CARROLL AVE

TRC

Dantas Properties, LLC



PROPERTY INFORMATION

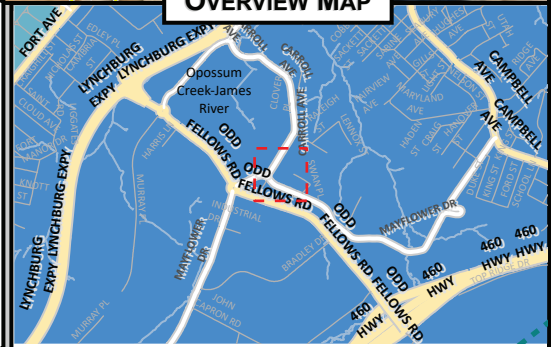
PARCEL ID	ADDRESS
11203021	3200 CARROLL AVE

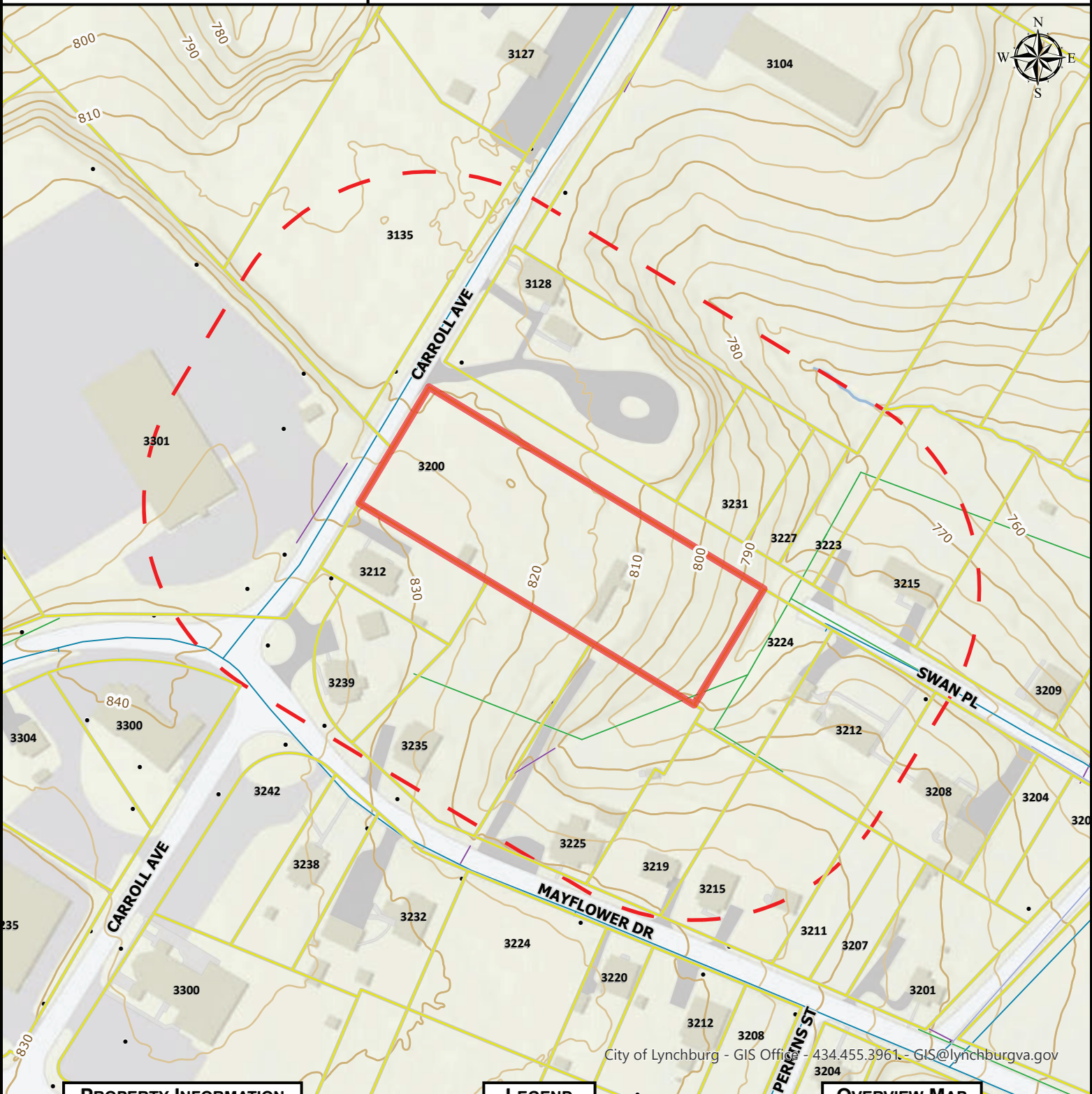
LEGEND

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

MAP SCALE: 1:1,606 DATE PRINTED: 8/8/2025

OVERVIEW MAP





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

PROPERTY INFORMATION

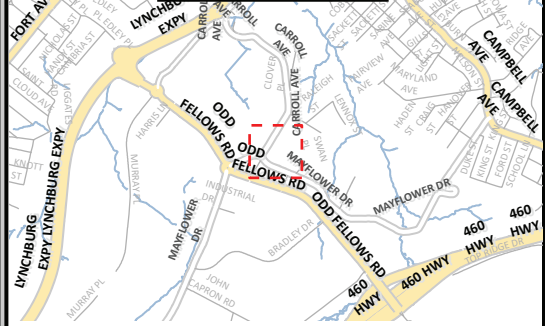
PARCEL ID	ADDRESS
11203021	3200 CARROLL AVE

LEGEND

	Active	Proposed	Abandoned
Utilities	Water (solid blue)	Water (dashed blue)	Water (dotted blue)
	Sanitary (solid green)	Sanitary (dashed green)	Sanitary (dotted green)
	Storm (solid purple)	Storm (dashed purple)	Storm (dotted purple)
Planimetrics	Paved (solid grey)	Unpaved (dashed grey)	Other (dotted grey)
	Roadway (solid dark grey)	Parking (dashed dark grey)	Sidewalk (dotted dark grey)
	Driveway (solid light grey)		
Topography	Contour 100' (solid brown)	Contour 20' (dashed brown)	Contour 5' (dotted brown)
	Contour 50' (solid light brown)	Contour 10' (dashed light brown)	Contour 1' (dotted light brown)

MAP SCALE: 1:1,606 DATE PRINTED: 8/8/2025

OVERVIEW MAP



Proposed Pickleball Club Narrative

September 10, 2025

In the heart of Lynchburg, Dantas Properties, LLC has undertaken a transformative project called The Work District, a development of several new commercial spaces and the revitalization of a few. Recognizing the urgent need for enhanced commercial infrastructure, this project aims to support local businesses, foster growth, and create employment opportunities.

The Work District (see area map below) is made up of several businesses, and we are becoming a community of people who work together along this section of Carroll Ave. Since Work District 1.0 was completed in September of 2024, the project has attracted a diverse array of businesses and provided sustainable employment for over 60 individuals.

Work District 2.0 and 3.0 are currently under construction and scheduled for completion in late 2025. With a desire to provide opportunity for healthy lifestyles and to nurture community in the area, we would like to build a Pickleball Club in one of the two Work District 2.0 buildings.

Pickleball Club Concept

This athletic club will occupy a new 6,600 S.F. metal building and consist of the following:

- 2 full-size pickleball courts
- 1 “skinny” practice court
- 4 bathrooms
- Locker room with towel service
- Lounge area with warming kitchen (no stove or cooktop)
- Modern scheduling system

Anyone can become a member of The Secret Pickle by signing up and paying the monthly fee through the website. Members will receive a unique access card or keyfob that provides access to the building and tracks user data. Modern technologies will be utilized, including online scheduling of courts and secure building access during operating hours.

The club will not be staffed, other than contracted cleaning & towel laundry services. All operations take place through automated, web-based systems, including scheduling of courts and security. Membership will be limited, and we anticipate no more than 20 people ever being in the building at the same time (10 people using the courts and 10 people waiting or in transition before or after play).

This Pickleball Club is a tenant buildout in Work District 2.0, bldg. B. The building shell is currently under construction and is 90% complete.

For this buildout, we will comply with all parking requirements and city landscape ordinances.

Should the Secret Pickle ever cease to exist, the space could easily be converted to industrial by removing the courts. Other uses for the structure could be storage, light industrial, workshops or equipment staging, to name a few.

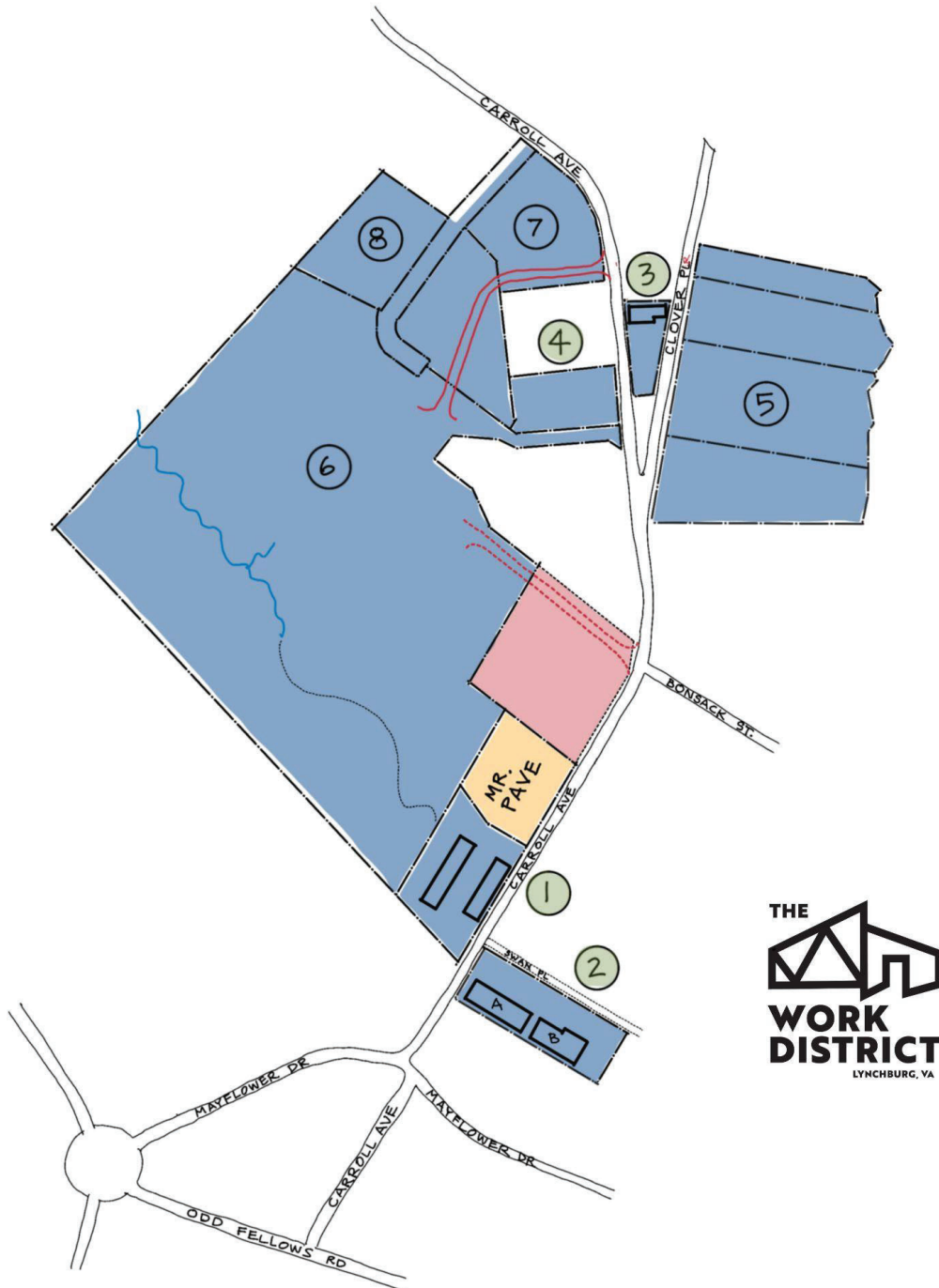
Address: 3200 Carroll Ave, Lynchburg VA 24501

Estimated Buildout Value: \$200K

Proposed Pickleball Club Narrative

September 10, 2025

The Work District Area Map (Parcel "2" below = The Secret Pickle):



Shhhhh...it's a secret!



PICKLEBALL CLUB CONCEPT PLAN

September 17, 2025

**LOCATION: 3200 CARROLL AVE, LYNCHBURG VA 24501
(TENANT BUILDOUT OF THE WORK DISTRICT 2.0, BLDG. B)**

ZONED: I-2 (CONDITIONAL USE: ATHLETIC CLUB)

ESTIMATED VALUE OF BUILDOUT: \$200K

SITE & EXTERIOR ELEVATIONS

PARKING CALCS:

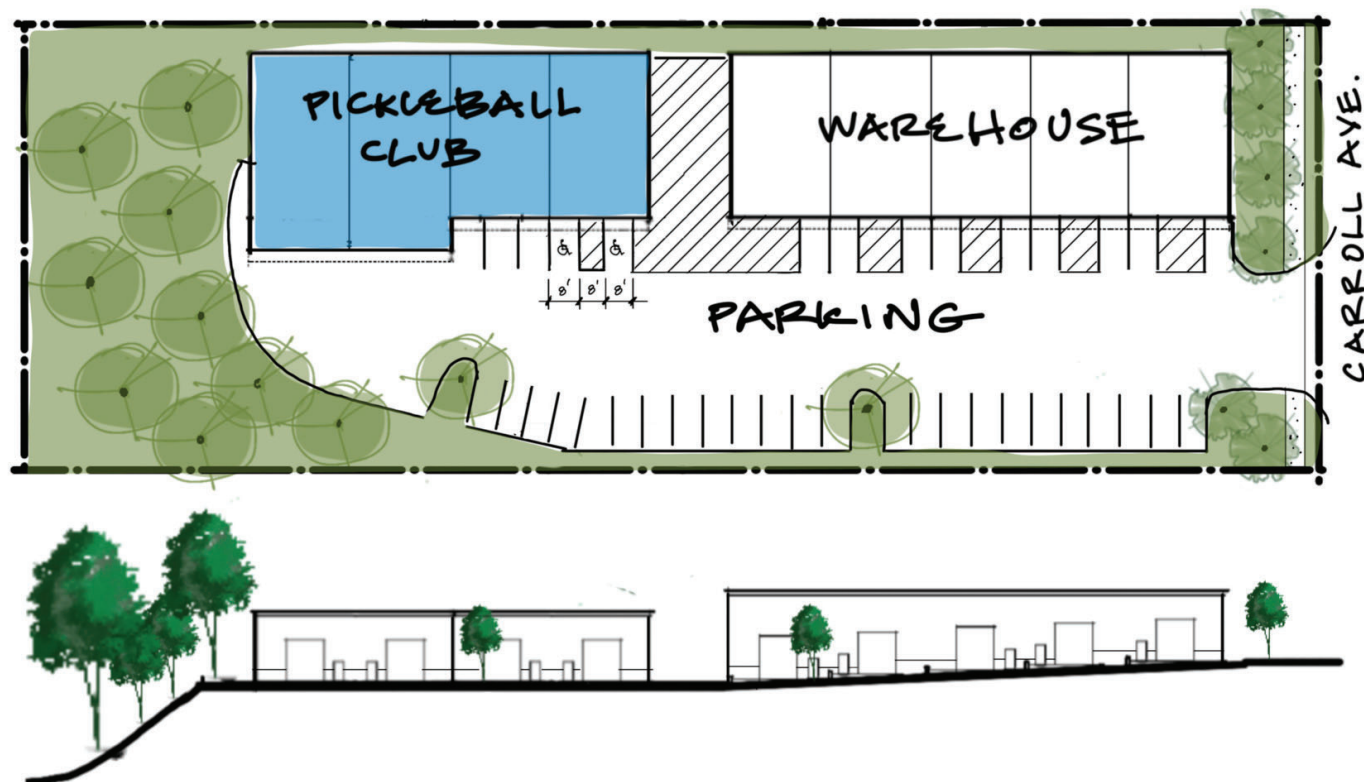
WAREHOUSE:

12 SPACES FOR WAREHOUSE
(2 PER 3 EMPLOYEES = 18 EMPLOYEES)

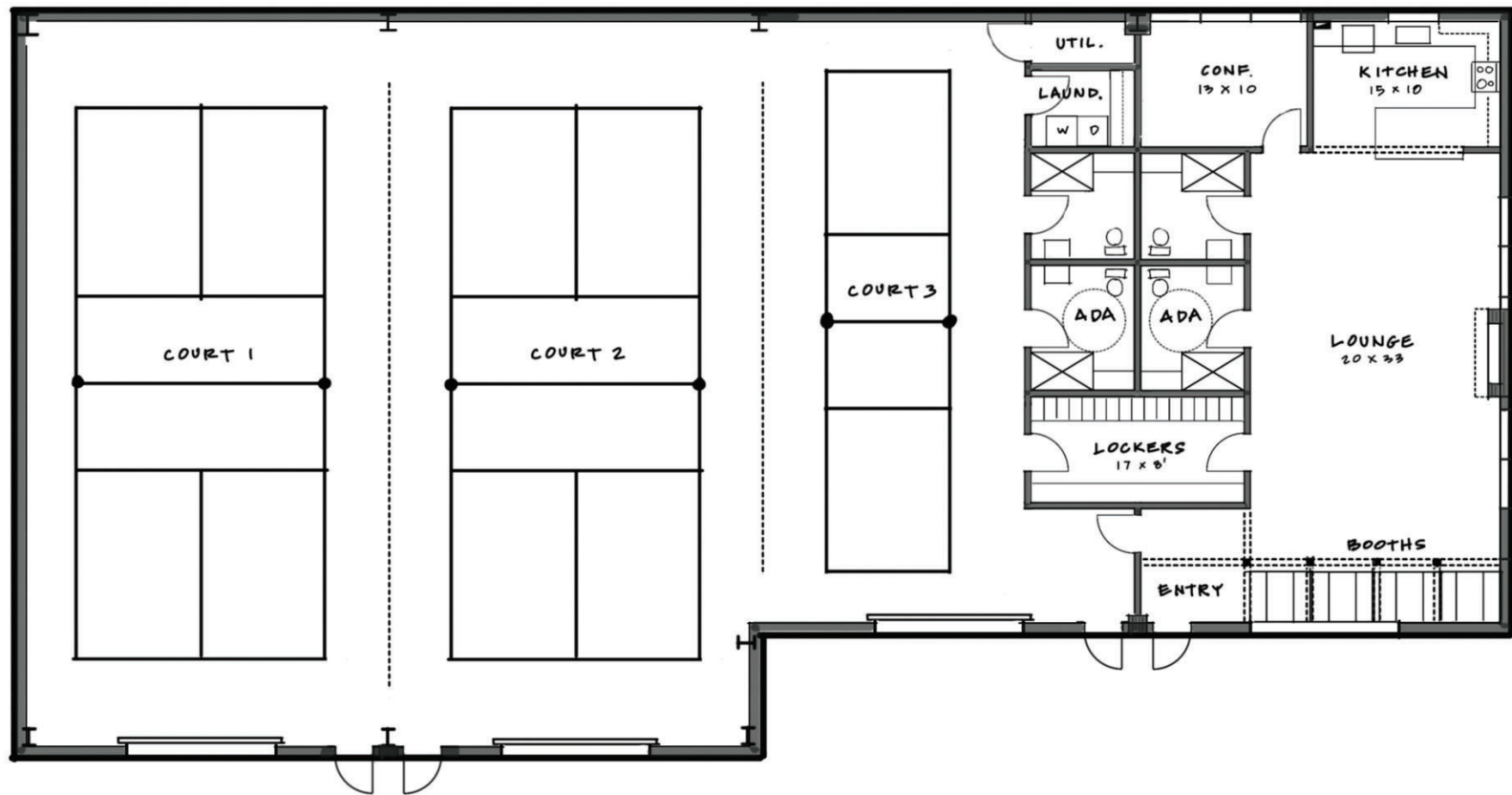
ATHLETIC CLUB:

24 SPACES FOR PICKLEBALL CLUB
(96 MAX. OCCUPANCY)

36 TOTAL SPACES



CONCEPT FLOOR PLAN



BUILDING SIZE: 6,600 S.F.



Conditional Use Permit
3200 Carroll Avenue
September 24, 2025

PLEASE PRINT CLEARLY

[illegible]

AGENDA ITEM SUMMARY**MEETING DATE**

October 28, 2025

PRESENTED BY

Rachel Frischeisen, City Planner

AGENDA ITEM # III.2

2134 Westerly Drive - Conditional Use Permit (CUP) - Group Home

RECOMMENDATION

This item will appear for City Council vote on the November 12, 2025, Public Hearing agenda. Approval of the Conditional Use Permit (CUP) petition to allow the use of an existing structure as a large group home for up to thirty-six (36) individuals in a program for substance use treatment services in an R-4, High Density Residential District at 2134 Westerly Drive.

SUMMARY

Sobrius at Lynchburg, LLC is petitioning for a CUP to allow the use of an existing structure as a large group home for up to thirty-six (36) individuals in a program for substance use treatment services in an R-4, High Density Residential District at 2134 Westerly Drive.

The property is zoned R-4, High Density Residential District. In this district, large group homes are permitted upon approval of a CUP by City Council. The *Comprehensive Plan 2013-2030* Future Land Use Map (FLUM) recommends Mixed Use for the subject property. The property was previously used as the Miller Home for Girls, which is a private, nonprofit group home. The use of the existing structure as a large group home should have limited impact on the surrounding area.

PRIOR ACTION(S)

October 8, 2025: The Planning Commission recommended approval (5-1, with 1 absent: Young-Jefferson) of the CUP petition.

October 8, 2025: The Planning Division recommended approval of the CUP petition.

FISCAL IMPACT

N/A

CONTACT(S)

Rachel Frischeisen, City Planner

ATTACHMENT(S)

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

REVIEWED BY



William Martin, Community Development Director

Date: October 20, 2025



Kent White, Assistant City Manager

Date: October 22, 2025



Alicia Finney, Clerk of Council

Date: October 23, 2025

2134 WESTERLY DRIVE CONDITIONAL USE PERMIT

Tuesday, October 28, 2025



PURPOSE & ACTION

Purpose:

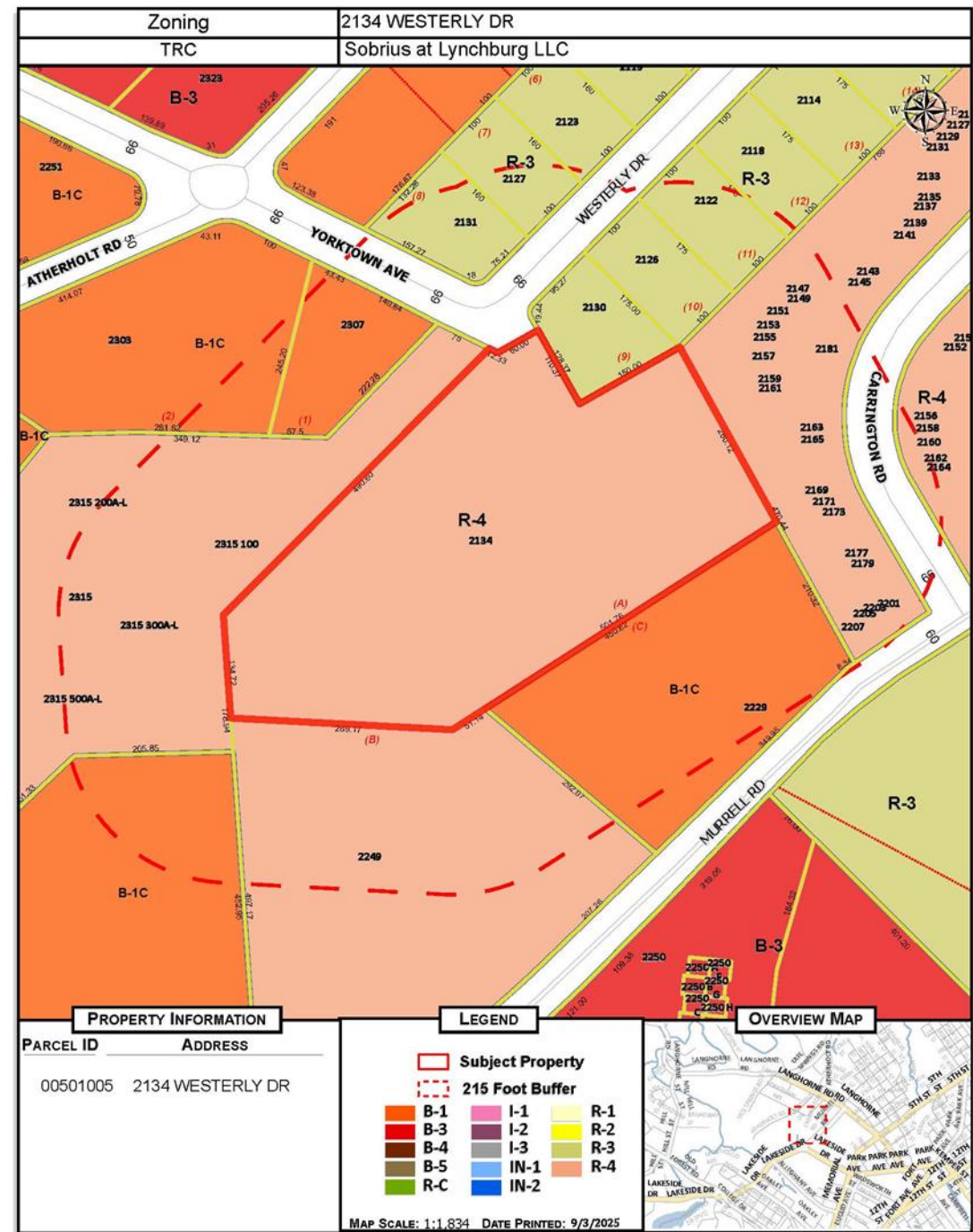
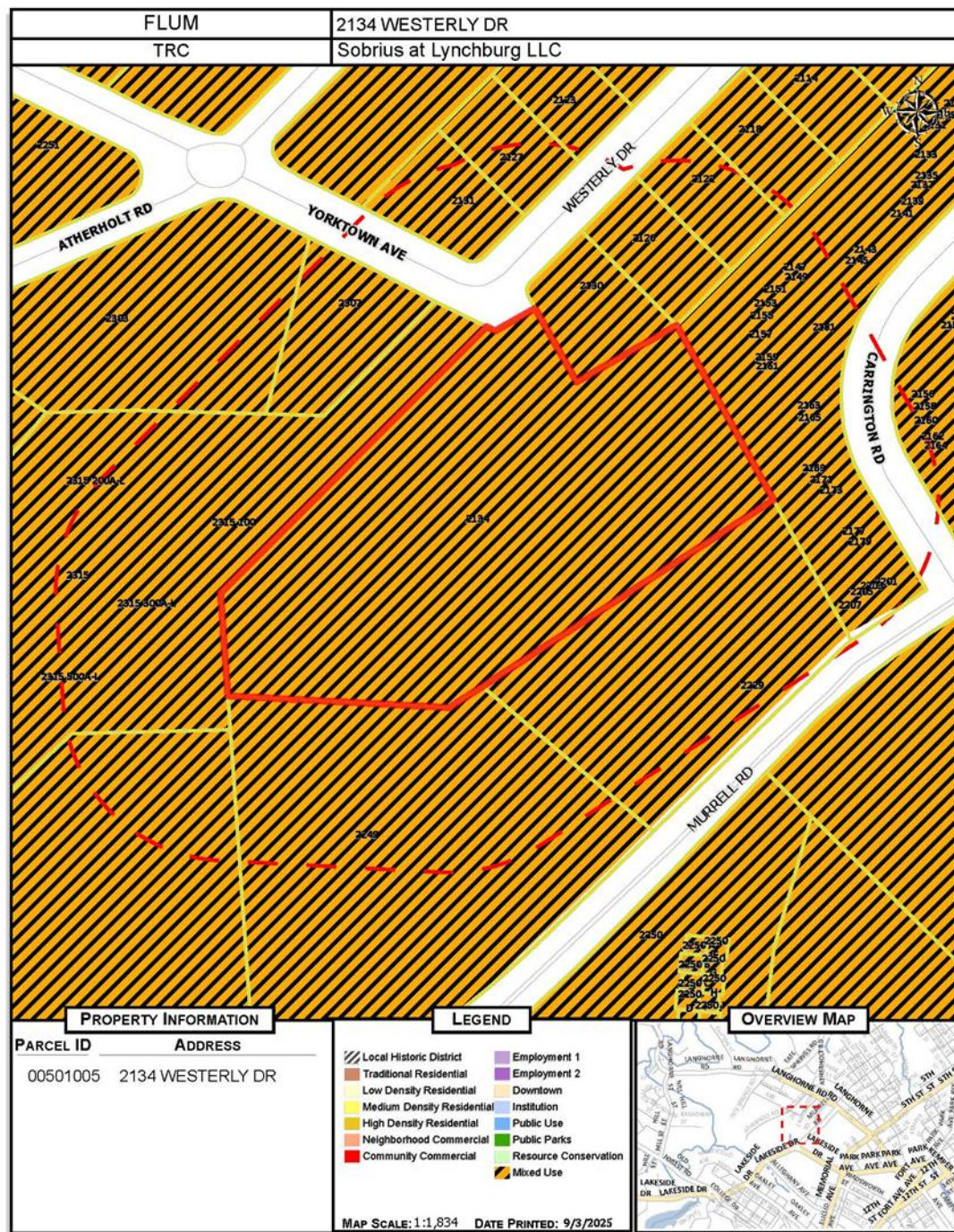
Petition of Sobrius at Lynchburg, LLC for a Conditional Use Permit (CUP) in an R-4, High Density Residential District to allow the use of an existing structure as a large group home for up to thirty-six (36) individuals in a program for substance use treatment services at 2134 Westerly Drive.

Recommendation:

The Planning Commission recommended approval (5-1, with 1 absent) of the CUP petition.

Action:

A City Council public hearing will be held on November 12, 2025.





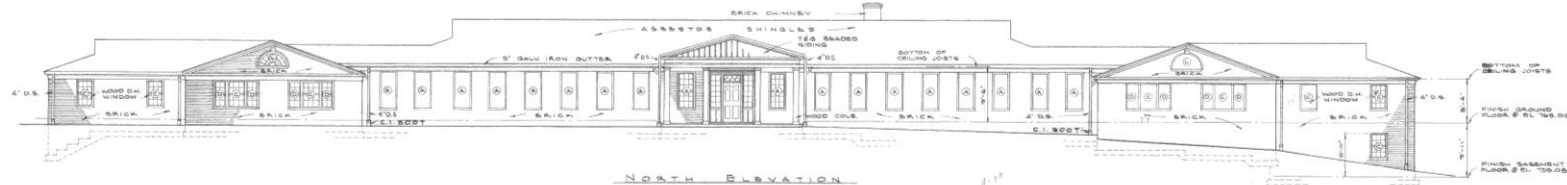
BASEMENT FLOOR PLAN



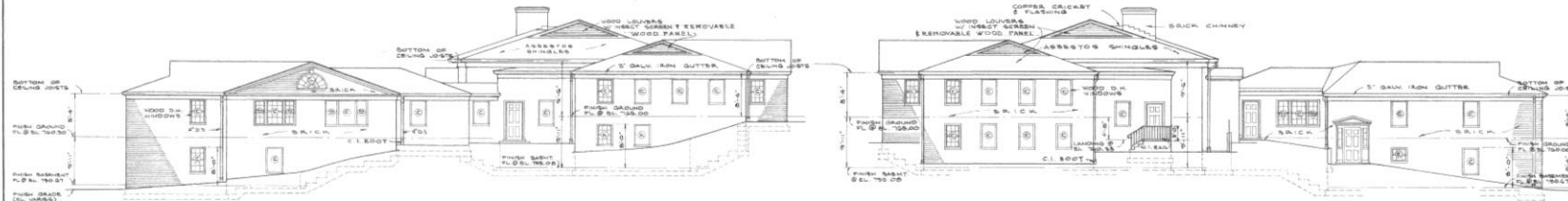
FIRST FLOOR PLAN



SOUTH ELEVATION
SCALE 1" = 1'-0"



NORTH ELEVATION
SCALE 1/8" = 1'-0"



EAST ELEVATION
SEALING 7' x 110'



WEST ELEVATION
SCALE 1 1/8" = 1'-0"



MILLER HOME
LYNCHBURG, VIRGINIA

CLARK, NEXSEN & OWEN - ARCHITECTS
LYNCHBURG, VIRGINIA

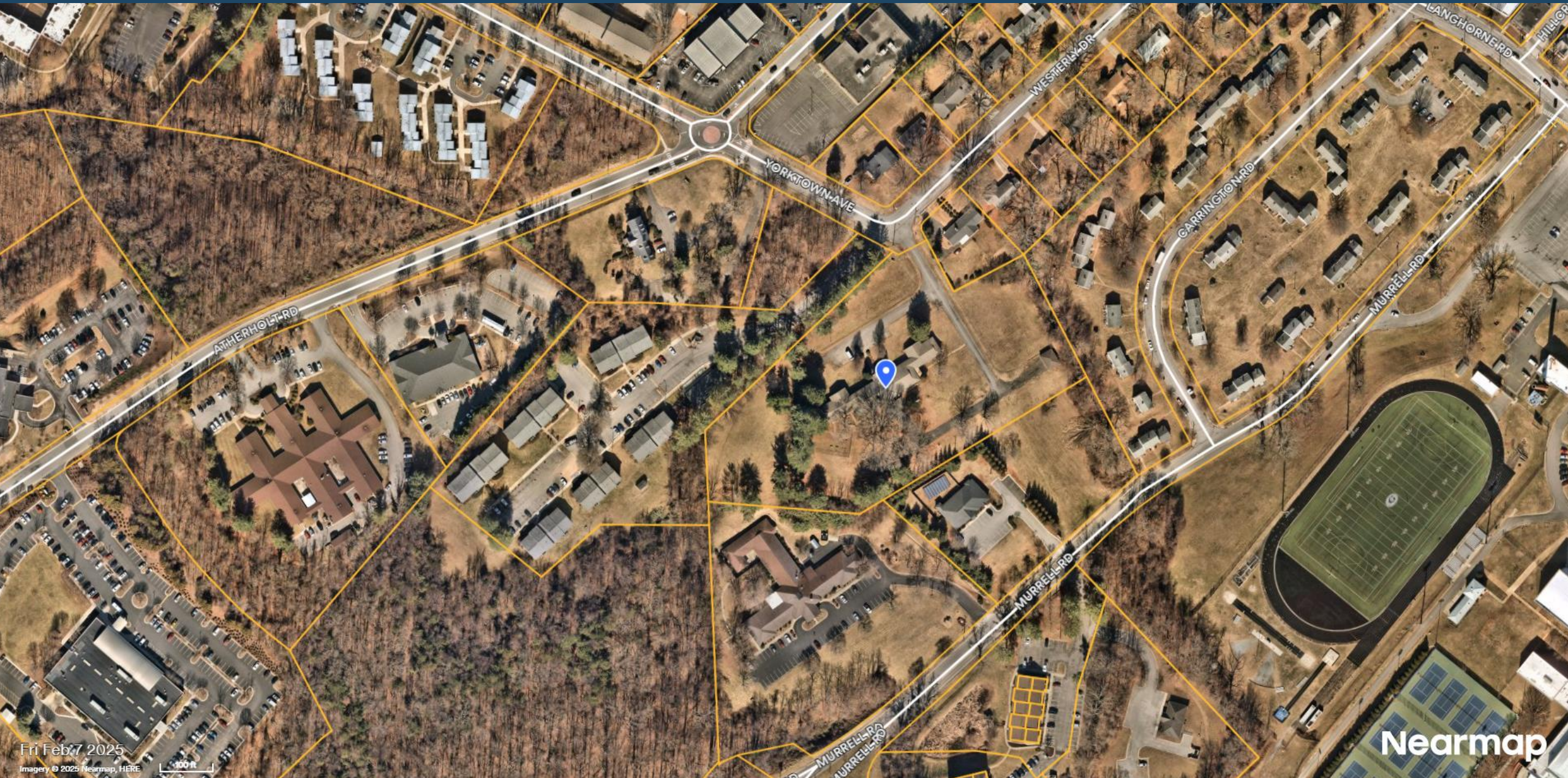
REVISED	ELEVATIONS & SECTIONS				DATE
	DATE	SCALE	DRAWN BY	CHECKED	A
	APR 58	AS SHOWN	J. S.	R. S.	



MILLER HOME
LYNCHBURG, VA

CLARK, NEXSEN & OWEN—ARCHITECTS
LYNCHBURG, VIRGINIA

REVISED	PLANS & PERSPECTIVE				DWG NO.
	DATE	SCALE	DRAWN BY	CHECKED	
	JUNE 58	AS NOTED	JEF	J.D.O.	



Fri Feb 7 2025

Imagery © 2025 Nearmap, HERE

100 ft

MINUTES OF THE OCTOBER 8, 2025 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED):

Petition of Sobrius at Lynchburg, LLC for a Conditional Use Permit in a R-4, High Density Residential District to allow the use of an existing structure as a large group home for up to thirty-six (36) individuals in a program for substance use treatment services at 2134 Westerly Drive.

Ms. Rachel Frischeisen, City Planner, provided the following summary to the Commission. The property was previously used as the Miller Home for Girls, which is a private, nonprofit group home. The *Comprehensive Plan's* Future Land Use Map (FLUM) recommends Mixed Use for the area. 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. Generally, these are designed to be a balanced mix of residential, neighborhood commercial, civic uses, parks and open spaces. The subject property was annexed into the City in 1926. The existing R-4, High Density Residential District zoning was established in 1978. The subject property consists of approximately five (5) acres located at 2134 Westerly Drive. The property contains a one-story structure constructed in 1959 and is approximately nineteen thousand (19,000) square feet in size and is currently being used as the Miller Home for Girls, which is a private, nonprofit group home for girls under the age of 21. If the petition is approved, the existing structure would be used as a large group home for up to thirty-six (36) individuals. The petitioner plans to use the property in its current configuration and layout. In summary, large group homes are permitted in the R-4, High Density Residential District upon approval of a Conditional Use Permit (CUP) by City Council. The use of the existing structure is similar to the previous use; therefore, impact on the surrounding area should be limited. The surrounding neighborhood has a mix of residential uses at varying densities, along with a number of medical, office, and commercial uses located nearby. The Technical Review Committee (TRC) reviewed the CUP petition on September 16, 2025. The Planning Division recommends approval of the petition.

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

Mr. Matt Feehery, CEO of Sobrius, was present to represent the petition. He provided the following summary. Sobrius has been operating a Virginia Department of Behavioral Health and Developmental Services (DBHDS) licensed substance use treatment programs for adults in southwest Virginia for over four (4) years. The main campus is in Galax, with additional programs offered in Bassett and Lynchburg. The Galax campus features a twenty-four (24) bed residential program for men and an outpatient program for up to forty-eight (48) men and women with supportive housing available for those individuals. The Bassett program offers a sixteen (16) bed residential treatment program serving women, including pregnant women. The Lynchburg program currently offers outpatient services for up to sixteen (16) men and women at 20715 Timberlake Road. Sobrius also operates a Virginia DBHDS certified recovery residence for up to eight (8) individuals at 2405 Mimosa Drive. The individuals residing at this location are enrolled in their Lynchburg outpatient program. Outpatient services at the Lynchburg center include group and individual counseling, treatment education, participation in recovery-oriented activities, and assistance with referrals for additional treatment, jobs, and housing, as needed. Treatment services are provided for approximately six (6) hours per day, Monday through Friday. All of their programs are voluntary and they choose who to accept or refer out. Admission criteria exclude individuals with sexual offenses and violent histories. A combination of state-certified and licensed substance abuse counselors, along with peer recovery specialists, conduct treatment services. Sobrius also employs a full-time medical director to provide medical and behavioral health consultations and treatment. Additional program and management support are provided by clinical and administrative leadership team based in Galax and Bassett. Lynchburg outpatient clients may commute to treatment from their home or can stay in their supportive housing, when available, while they are in treatment. Those residing in the location on Mimosa Drive are transported by staff to and from the treatment center and other treatment-related destinations and activities. People living in supportive housing, recovery residences, and residential treatment centers are supervised by Sobrius-employed, trained staff around-the-clock. Sobrius staff must pass background checks through Virginia Department of Social Services (DSS), Virginia Department of Behavioral Health and Developmental Services (DBHDS), State Police, and the Federal

Bureau of Investigation (FBI) to be employed by Sobrius. Medication is administered under supervision by staff. Access to and from the program is monitored, and clients are not allowed to leave the housing units or other campuses without permission in advance from the staff. They are not allowed to use substances or bring them into the housing while in residence; and violations result in discharge from the program, usually with a referral to another program. The subject property at 2134 Westerly Drive is well suited for Sobrius' purposes as a residential treatment program. It can be used as is, barring any mechanical or functional repairs that may be needed. There are no current plans to reconfigure or expand the building. There is a perimeter fence surrounding most of the property and additional fencing will be installed in places where no perimeter fence exists prior to opening the residential center. A full code review of the property has been conducted and a life safety plan is being prepared. The economic impact on Lynchburg is also beneficial as fourteen (14) to twenty (20) new jobs will be created after the center opens, which is scheduled to happen in early- to mid-2026. There are multiple behavioral health treatment providers, including Horizon and Roads to Recovery, who help to offer wrap-around support and care for their clients, within a one (1) mile radius of the proposed site. He concluded that Sobrius will hold a community forum for community members at the Miller Home on October 23, from 4pm-6pm. The event will give Sobrius staff the opportunity to introduce the community to the company, its plans, and programs; and provide a glimpse of the space they will be using.

Mr. Luke Dykeman of Coldwell Banker & Co. explained that he was representing Sobrius in their acquisition of the property. He reported that the existing structure was purpose-built in 1959 as a group home and it would be ideal for it to continue to be used as such, adding that the proposed residential capacity of thirty-six (36) is fewer than the Miller Home for Girls, which housed up to sixty (60) residents throughout its history. He pointed out that if this property were to be bought by a developer, then the existing R-4 zoning would allow for 21.78 residential units per acre by-right, meaning roughly one hundred nine (109) units could potentially be placed on the property. He reiterated multiple aspects of Sobrius operations that Mr. Feehery covered, including around-the-clock staffing, and vetting of residents for violent histories.

Ms. Amy Seipp of Accupoint Surveying & Design LLC, who is assisting with the technical code reviews and life safety plans, added that the building is well-suited for this type of use given the way that the facilities and rooms are laid out. She offered that the existing building can be utilized without needing to tear anything down and it is perfect for this program.

Ms. Stacy Garrett, former director of the Miller Home for Girls, added that the building is too large for what the Miller Home needs today. She explained that the Miller Home started as the Lynchburg Female Orphan Asylum in 1875 with over a hundred acres; today, it is reduced to the existing building on five acres of land. She stated the building has not been easy to sell because potential buyers have wanted to demolish the building to put in office buildings or parking lots. She concluded that this building was made to be used for residential services.

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

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

Mr. Daniel Martin said that it is a great building for the program, but the location is not suitable because E.C. Glass High School is nearby. He expressed concern over the site's proximity to the school bus stop and the safety of children, concluding that it is a bad location for a substance abuse rehabilitation facility. He reported that there is already some illegal drug activity in the area and believes the use would not be good for the neighborhood. He asked whether or not the residents will be confined or be given free rein.

Ms. Debbie Martin said that the Miller Home has been a wonderful neighbor. She expressed concern over the proposed use of the property because children live nearby; they wait for the school bus unsupervised. She noted concerns about current drug activity in the area and concluded that this location is not well-suited for the proposed use and that the priority should be protecting children in the area.

Chair Rogers offered the petitioner a chance for a rebuttal.

Mr. Feehery responded that the types of activities the Martins were concerned about could happen in any area, unfortunately. He reported that he has worked in several locations where the facility was within a neighborhood and they have worked well within those places, adding that Sobrius works toward keeping their residents contained within their properties and handling their transportation. He highlighted that their approach to treatment is to instill a sense of respect and responsibility for those in their programs and those living in the neighborhood. He concluded that the use of this location will enable them to help people within the City; and he looks forward to meeting with neighbors and the community in the coming weeks.

With there being no further members of the public who wished to speak on the petition, Chair Rogers closed the public hearing.

Commissioner Cox asked how many staff will it take to operate this facility.

Mr. Feehery replied that he is proposing between fourteen (14) to twenty (20) staff members to conduct the program, with additional staff coming to and from this facility.

Commissioner Henderson asked how many staff would be there per shift.

Mr. Feehery responded that staffing is based on the number of clients served. He clarified that there would be at least three (3) staff for overnight shifts and more staff would be there during the morning and evening shifts. He added that Sobrius staffs more than their contemporaries and have more staff for evenings because activities are ongoing into the late evening.

Ms. Monica Flora, Executive Director of Sobrius' Residential Bassett Program clarified that the program is staffed twenty-four seven (24/7), including medical and clinical staff, and a medical director rotating between several facility locations. She expounded that they are taking care of both physical and mental health needs of the residents, explaining that individuals are always monitored and that they stay on site unless they are going to an event, where they are accompanied by staff members. She explained that when individuals come and go, they and their belongings have to be searched, and they are given a drug test, to ensure the safety of both the individual residents and the staff.

Chair Rogers asked for clarification on why there are non-residential individuals who would be coming and going from this facility.

Ms. Flora clarified that she had been referencing another site, which is Sobrius' Lynchburg clinic. She elaborated that, when necessary, Sobrius staff could transport clients from the residential site to and from the clinic if they required additional services offered by the clinic, highlighting that 2134 Westerly Dr would be a twenty-four/seven (24/7) residential site.

Commissioner Gammon asked if people could leave at any time since the program was voluntary.

Mr. Feehery replied yes, people were not committed to their program via law enforcement or mental health. He clarified that Sobrius is not a psychiatric hospital; individuals check themselves in; they are evaluated to make sure they are clinically appropriate for the level of care Sobrius provides; and then the individual agrees to commit to the program. He concluded that if an individual wishes to leave, for whatever reason, then they are given referrals to other programs so they can continue to receive help.

Commissioner Gammon asked how long was their typical program.

Ms. Flora responded to the previous question, noting that all their participants are covered under the Americans with Disabilities Act and that Sobrius has to acquire extended releases of information for them. She added that Sobrius does work with other agencies, parole officers and others, as some individuals have additional external reasons to be there. If someone decided to leave the program, then, those other

organizations are notified, if applicable. She responded that on average it is a thirty (30) day program, but people have stayed up to forty-five (45) days or longer, concluding that it depends on the individual.

Commissioner Gammon referenced a statistic that Lynchburg has twice the state average of drug overdose emergency department admissions.

Ms. Flora acknowledged that this is a community issue which can be burdensome to the City's law enforcement and hospital emergency departments. She added that Sobrius would be able to get people into their program within twenty-four (24) hours.

Commissioner Henderson asked if they allowed visitors.

Ms. Flora replied that visitors are vetted and there must be a purpose for the visit; adding that if the visit is beneficial to the individual, then it happens as a supervised visit.

Commissioner Woodson asked if this site would be the exact same as the Timberlake location and if this petition is approved will they be closing the Timberlake location.

Mr. Feehery replied that it was a possibility that the Timberlake location could close, clarifying that Sobrius is already providing services at their Timberlake location and the Westerly site would allow them to expand on available services.

Commissioner Woodson asked how long Mr. Feehery has been with Sobrius.

Mr. Feehery replied that he had been with the company for two (2) years and that Sobrius started four (4) years ago in Galax, Virginia.

Commissioner Woodson commented that his church was partnering with a similar organization and said he would like to visit their location in Galax.

Ms. Flora replied that he would be welcome to visit their Galax location. She commented that Sobrius has worked with church organizations as part of their community outreach, explaining that churches are another resource they have available for clients in their programs.

Mr. Feehery commented that at the Galax facility, Sobrius partners with a church that provides sermons residents can attend.

Commissioner Gammon said he had planned to support this petition, but he did have questions; however, the presentation was well done and had answered his questions.

Commissioner Perault said he liked to be consistent when voting for keeping an existing building and this was a better use than it being turned into townhouses or apartment buildings.

Commissioner Henderson commented that he could not think of a better use of the Miller Home and what they are bringing to the community is needed. The project is a good one.

Commissioner Cox agreed with other commissioners' comments and reiterated this petition was a good use.

Chair Rogers said he would be supporting the petition.

Commissioner Gammon made the following motion, seconded by Commissioner Henderson, 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 Sobrius at Lynchburg, LLC for a Conditional Use Permit in a R-4, High Density Residential District to allow the use of an existing structure as a large group home for up to thirty-six (36) individuals in a program for substance use treatment services at 2134 Westerly Drive."

Commissioner Woodson noted that he would like to abstain because he wanted to visit Sobrius' other residential facility; however, Ms. Frischeisen noted that historically, abstentions are only used in cases where a commissioner has a legal conflict of interest regarding the petition.

AYES: Cox, Gammon, Henderson, Perault, Rogers	5
NOES: Woodson	1
ABSTENTIONS:	0
ABSENT: Young-Jefferson	1

The Department of Community Development

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

To: Planning Commission
From: Planning Division
Date: October 8, 2025
Re: **Conditional Use Permit (CUP) – Group Home – 2134 Westerly Drive**

I. PETITIONER

Matt Feehery, CEO of Sobrius at Lynchburg, LLC, 506 Cliffview, Virginia 24333

Property Owner: Morgan Kane, Executive Director, Lynchburg Female Orphan Asylum d/b/a Miller Home for Girls, 2134 Westerly Drive, Lynchburg, Virginia 24501

Representative: Luke Dykeman, Coldwell Banker Read & Co., 101 Annjo Court, Forest, Virginia 24551

II. LOCATION

The subject property consists of approximately five (5) acres located at 2134 Westerly Drive.

III. PURPOSE

The purpose of the CUP petition is to allow the use of an existing structure as a large group home for up to thirty-six (36) individuals in a program for substance use treatment services in an R-4, High Density Residential District.

IV. SUMMARY

- The property is zoned R-4, High Density Residential District. In this district, large group homes 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.
- The property was previously used as the Miller Home for Girls, which is a private, nonprofit group home.
- The use of the existing structure as a large group home should have limited impact on the surrounding area.

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 the subject 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 (p.76).
2. **Zoning.** The subject property was annexed into the City in 1926. The existing R-4, High Density Residential 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 June 11, 1985, City Council approved Central Virginia Psychiatric Associates, Inc.'s Conditional Use Permit petition to allow the operation of a care center, outpatient mental health facility, and school in an existing building in an R-4, Multi-Family Residential District at 2303 Yorktown Avenue.
- On April 11, 1989, City Council approved the petition of William H. Burruss, Jr. to rezone 2303 Yorktown Avenue from R-4, Multi-Family Residential District to B-1C, Limited Business District (Conditional) to allow office use of an existing structure and the construction of new office space to be called "Westerly Acres Office Complex."
- On February 13, 1990, City Council approved Snyder Hunt Corporation's Conditional Use Permit petition to build a home for adults for a maximum of one hundred twenty (120) elderly residents in an R-4, Multi-Family Residential District at 2249 Murrell Road.
- On February 13, 1990, City Council approved the petition of Snyder Hunt Corporation to rezone 2229 Murrell Road from R-4, Multi-Family Residential District to B-1C, Limited Business District (Conditional) to allow construction of a new office complex.
- On July 13, 1993, City Council approved the petition of Elderberry Nursing Home, Inc. to rezone an area located behind 2303 Yorktown Avenue from R-4, Multi-Family Residential District to B-1C, Limited Business District (Conditional) to allow construction of a nursing home with one hundred twenty (120) beds, parking, and a speculative office building.
- On June 13, 2000, City Council approved the petition of Surgery Center of Lynchburg, LLC to rezone 2401 Atherholt Road from R-4, Multi-Family Residential District to B-1C, Limited Business District (Conditional) to allow the construction of an ambulatory surgery center with related services and parking.
- On May 28, 2002, City Council approved the petition of William H. Burruss, Jr., to rezone the 2400 block of Atherholt Road from R-4, Multi-Family Residential District to B-1C, Limited Business District (Conditional) to allow the development of the property as an office park.
- On April 9, 2019, City Council approved the petition of Surgery Center of Lynchburg, LLC to rezone 2401 Atherholt Road from B-1C, Limited Business District (Conditional) to B-1, Limited Business District to remove previously approved proffers.

5. Site Description. The subject property consists of approximately five (5) acres located at 2134 Westerly Drive. The property contains a one-story, fire resistant structure constructed in 1959. The structure is approximately eighteen thousand nine hundred seventy-six (18,976) square feet in size and was previously used as the Miller Home for Girls, which is a private, nonprofit group home for girls under the age of 21.

The City's Zoning Ordinance requires that large group homes for adults provide an enclosed outside recreation area of at least 30 square feet per resident enrolled. There is a fenced area on the property that exceeds this requirement. The property also contains a seven hundred twenty (720) square foot detached garage.

The property is bound to the north by residential uses, including single family homes and apartments; to the east by residential uses, including duplex and triplex style apartments; to the south by a dental office and an assisted living facility; and to the west by apartments and vacant land.

6. **Proposed Use of Property.** If the petition is approved, the existing structure would be used as a large group home for up to thirty-six (36) individuals in a residential program that provides substance use treatment services. The petitioner plans to use the property in its current configuration and layout.
7. **Traffic, Parking and Public Transit.** The petitioner was not required to conduct a traffic analysis as part of this petition.

Fourteen (14) marked parking spaces and additional, unmarked pavement exist on the site. This should be sufficient to meet the Zoning Ordinance requirement of two (2) spaces per group home, plus one (1) space per eight (8) residents, plus one (1) space per three (3) staff members.

The site is not directly served by the Greater Lynchburg Transit Company (GLTC) but route 1A and 1B run along a portion of Atherholt Road. The nearest bus stop for these routes is located at 2406 Atherholt Road.
8. **Stormwater Management.** The petitioner is not proposing any land disturbance at this time, as no new buildings, additions, or parking areas are proposed. An Erosion & Sediment Control Plan would be required when disturbed areas exceed one thousand (1,000) square feet. A stormwater management plan would be required when disturbed areas exceed five thousand (5,000) square feet.
9. **Emergency Services:** The City's Fire Marshal had no comments of concern regarding the proposal. The City's Police Department recommended fencing the remainder of the property.
10. **Impact.** Large group homes are permitted in the R-4, High Density Residential District upon approval of a CUP by Council. The use of the existing structure is consistent with the previous use; therefore, impact on the surrounding area should be limited. The surrounding neighborhood has a mix of residential uses at varying densities, along with a number of medical, office, and commercial uses located nearby.
11. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the CUP petition on September 16, 2025. 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 Sobrius at Lynchburg, LLC, for a conditional use permit at 2134 Westerly Drive to allow the use of an existing structure as a large group home subject to the following conditions:

1. **The maximum residential occupancy shall be thirty-six (36) individuals.**

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
Matt Feehery, Sobrius at Lynchburg, LLC
Morgan Kane, Miller Home for Girls
Luke Dykeman, Coldwell Banker Read & Co.

VII. ATTACHMENTS

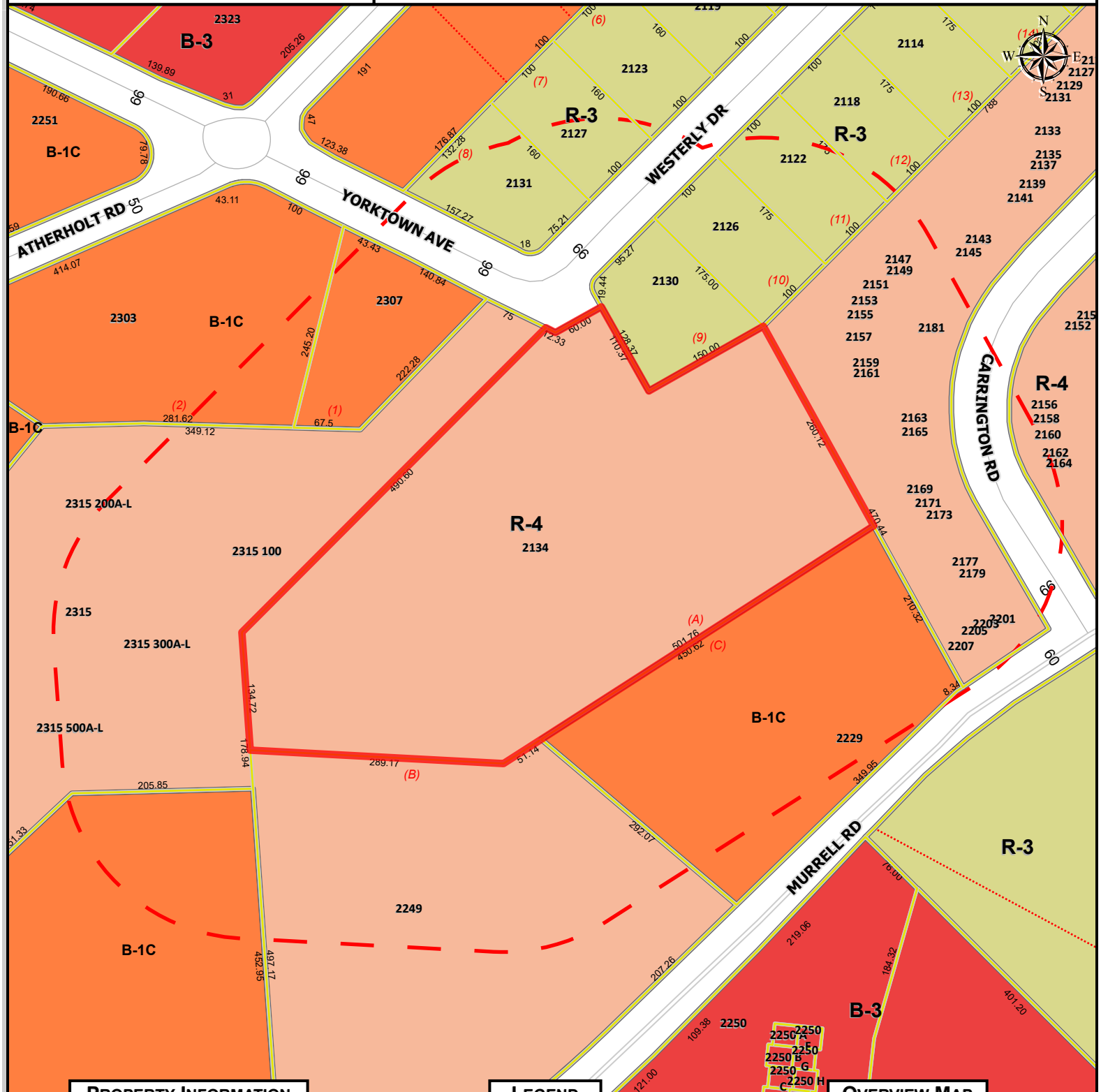
- 1. Zoning Map with Adjoining Property Owners**
- 2. Future Land Use Map**
- 3. Watershed Map**
- 4. Planimetric and Topographic Map**
- 5. Narrative**
- 6. Concept Plan**
- 7. Property Photograph**

Zoning

2134 WESTERLY DR

TRC

Sobrius at Lynchburg LLC



PROPERTY INFORMATION

PARCEL ID

ADDRESS

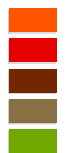
00501005

2134 WESTERLY DR

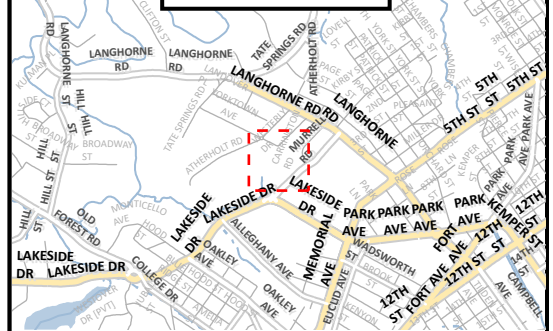
LEGEND

Subject Property

215 Foot Buffer



OVERVIEW MAP



MAP SCALE: 1:1,834 DATE PRINTED: 9/3/2025

2134 Westerly Dr

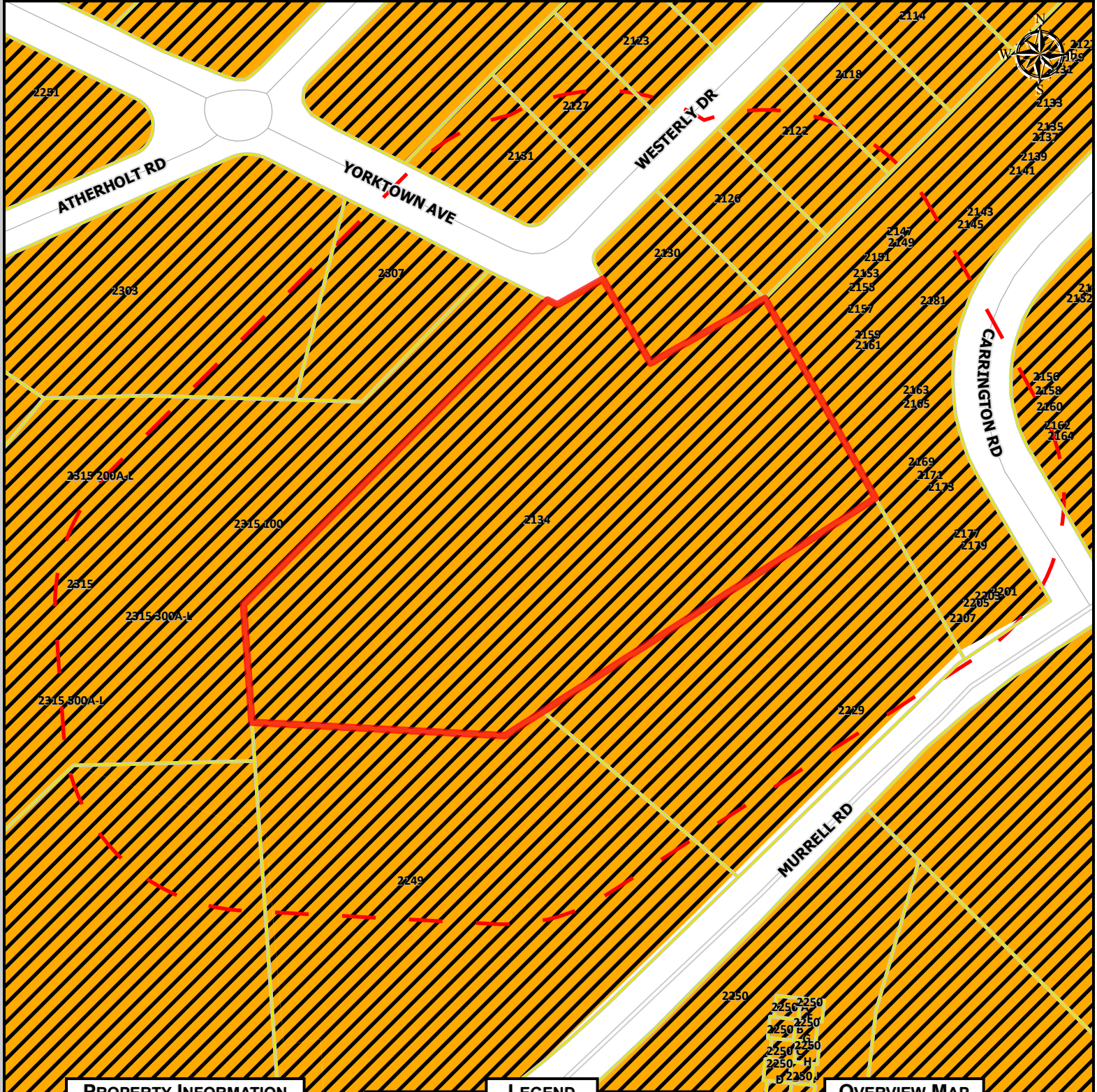
Parcel ID	Address	Owner
00501009	2307 YORKTOWN AVE	WILLIAMS, MARY E TRS & WILLIAMS, MARY E
00501007	2303 YORKTOWN AVE	JBF LLC
00501001	2166 CARRINGTON RD	CARRINGTON TOWNHOMES LLC
00501002	2409 ATHERHOLT RD	WILLIAMS, MARY E TRS & WILLIAMS, MARY E
00501010	2249 MURRELL RD	JFC LYNCHBURG DST ATTN: JFC LYNCHBURG MANAGER LLC
00501011	2229 MURRELL RD	THREE RIDGES OF LYNCHBURG LLC
00501005	2134 WESTERLY DR	LYNCHBURG FEMALE ORPHAN ASYLUM
00501008	2315 YORKTOWN AVE	MEADOWS-WOODBINE LLC
00502009	2130 WESTERLY DR	FLINT, MARY K
00502010	2126 WESTERLY DR	MARTIN, DANNY J & DEBORAH B
00502008	2131 WESTERLY DR	ROADS TO RECOVERY INC
00502011	2122 WESTERLY DR	HARRISON, ANDREW PRESTON & GABRIELLE MARIE
00502012	2118 WESTERLY DR	SKELTON, JONATHAN & MACKENZIE
00502006	2123 WESTERLY DR	WRIGHT, KENNESHA & WRIGHT, MARCUS
00502007	2127 WESTERLY DR	PIPPIN, TAMERA T
00501016	2181 CARRINGTON RD	CARRINGTON TOWNHOMES LLC

FLUM

2134 WESTERLY DR

TRC

Sobrius at Lynchburg LLC



PROPERTY INFORMATION

PARCEL ID

ADDRESS

00501005

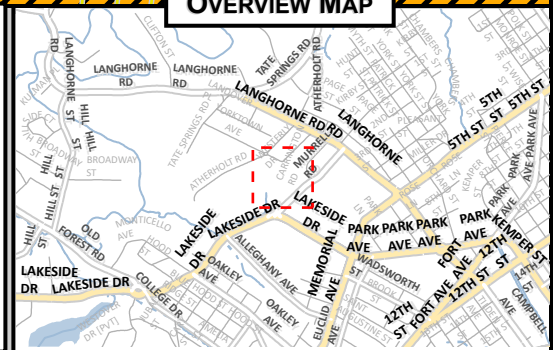
2134 WESTERLY DR

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: 1:1,834 DATE PRINTED: 9/3/2025

OVERVIEW MAP

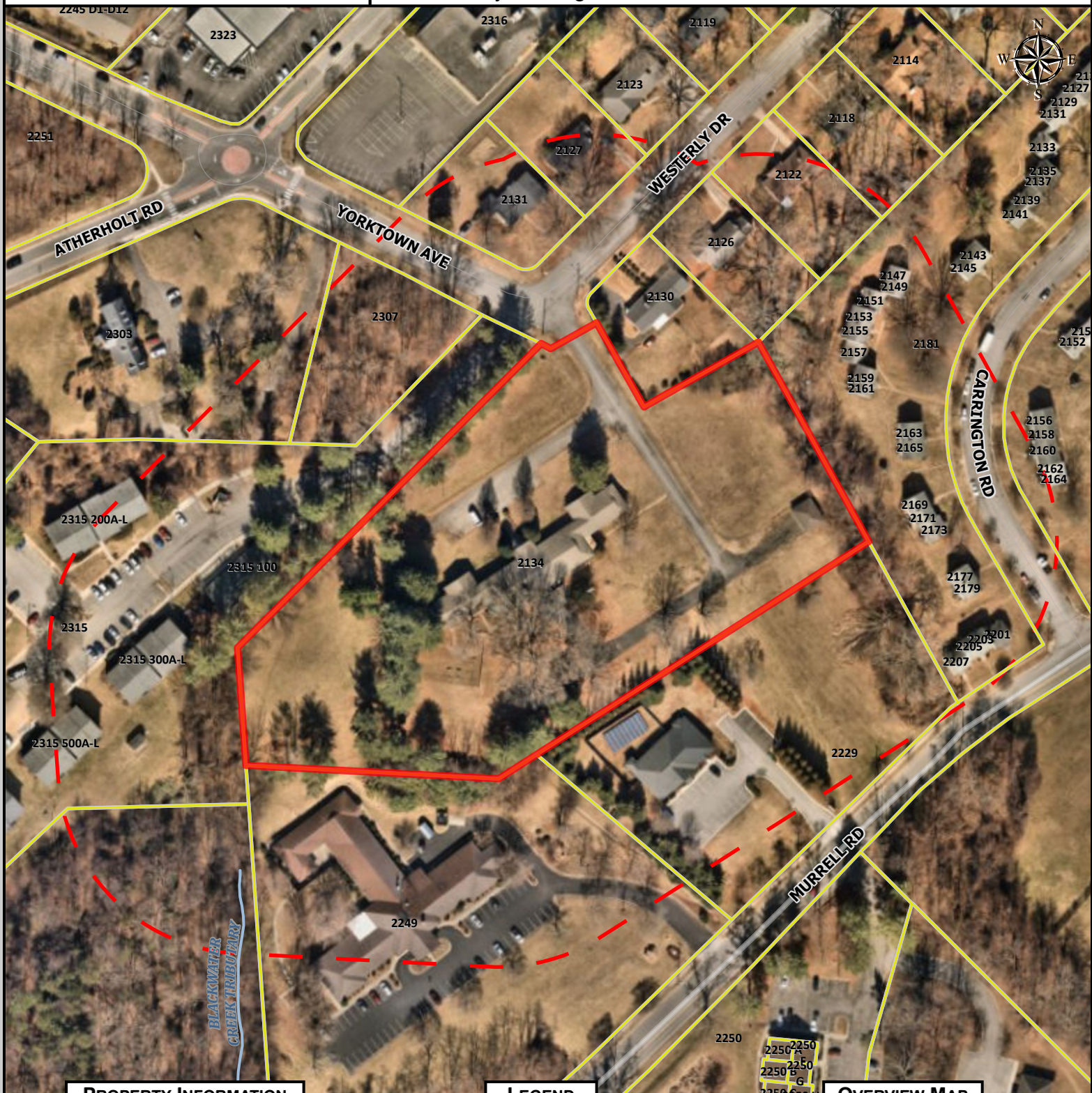


Watershed

2134 WESTERLY DR

TRC

Sobrius at Lynchburg LLC



PROPERTY INFORMATION

PARCEL ID

ADDRESS

00501005

2134 WESTERLY DR

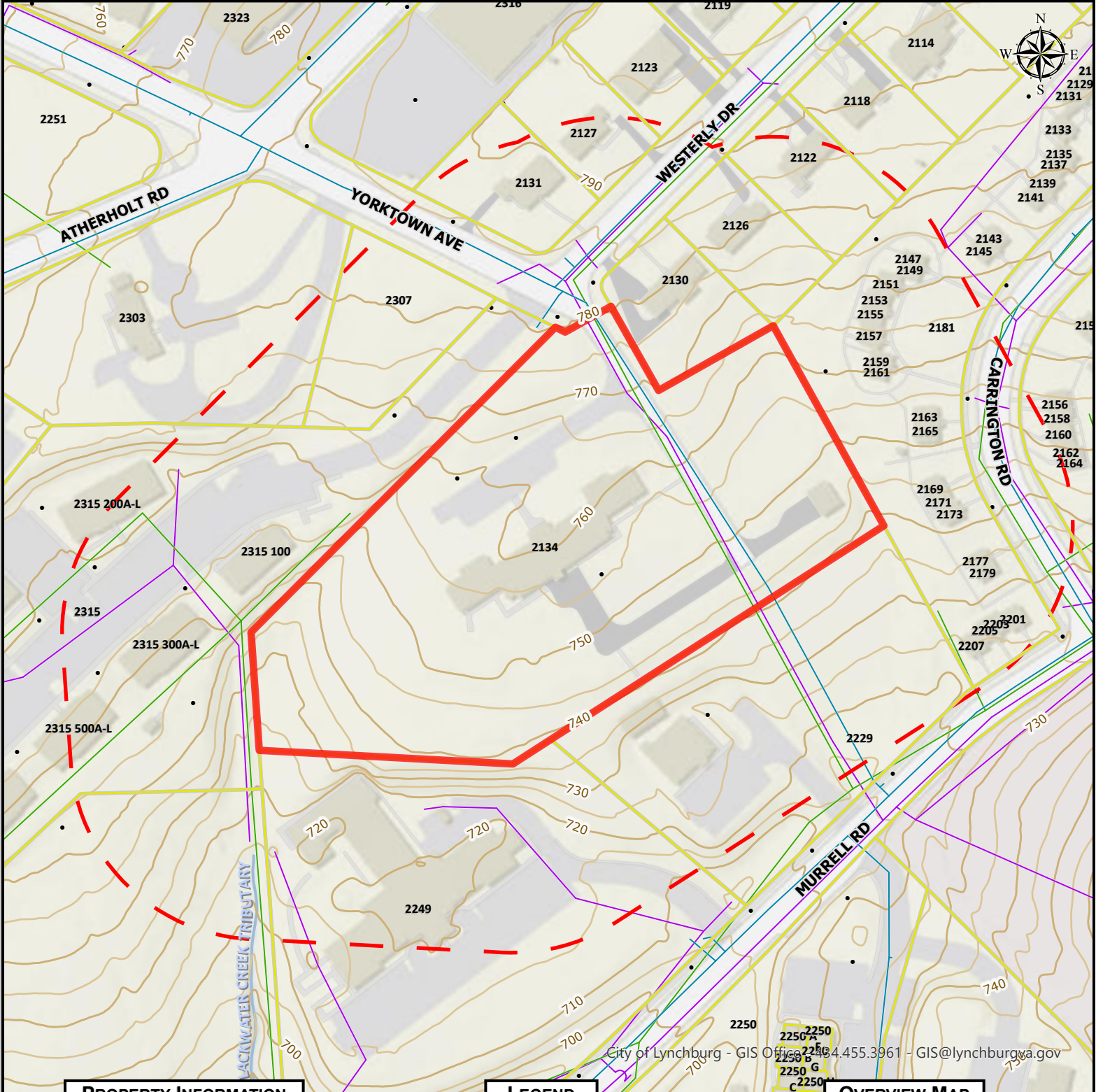
LEGEND

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

MAP SCALE: 1:1,834 DATE PRINTED: 10/8/2025

OVERVIEW MAP





PROPERTY INFORMATION

PARCEL ID	ADDRESS
00501005	2134 WESTERLY DR

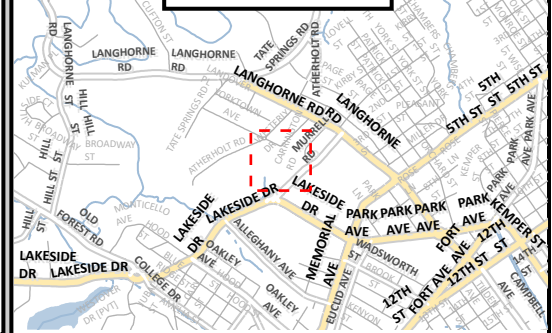
LEGEND

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

MAP SCALE: 1:1,834

DATE PRINTED: 9/3/2025

OVERVIEW MAP



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

Public Hearing Application for Conditional Use Permit

for the property located at

2134 Westerly Dr., Lynchburg, VA 24501

CUP2509-0001

Section 35.2-11.3, Applications – Exhibit II-5

Project Narrative

The petitioner is seeking a Conditional Use Permit to allow Sobrius at Lynchburg, LLC to house up to 36 people in a residential program that provides substance use treatment services. The property features a building that has historically provided and currently provides residential services. Sobrius plans to use the property in its current configuration and layout.

The existing zoning is R-4 and there is no proposal to change that zoning designation. Adjacent properties include a dental office and an assisted living facility that front Murrell Rd, a high-density residential apartment complex on Westerly Dr at Yorktown Ave, a single-family dwelling that fronts Westerly Dr, and approximately twelve duplex/triplex home units that front Carrington Rd.

Additional Project and Background Information

Sobrius has been operating DBHDS licensed substance use treatment programs for adults in southwest Virginia for over four years. The main campus is in Galax with additional programs offered in Bassett and Lynchburg. The Galax campus features a 24-bed residential program for men and an outpatient program for up to 48 men and women with supportive housing available for up to 48 individuals.

Our Bassett program offers a 16-bed residential treatment program serving women. Our Lynchburg program currently offers outpatient services for up to 16 men and women at our office location at 20715 Timberlake Rd in Lynchburg. Sobrius also operates a DBHDS certified recovery residence for up to eight individuals at 2405 Mimosa Dr in Lynchburg. The individuals residing at this location are enrolled in our Lynchburg outpatient program.

Outpatient services at our Lynchburg center include group and individual counseling, treatment education, participation in recovery-oriented activities, and assistance with referrals for

additional treatment, jobs, and housing, as needed and appropriate. Treatment services are provided five days each week for approximately 6 hours per day, Monday through Friday.

A combination of state certified and licensed substance use counselors, along with peer recovery specialists, conduct treatment services. Sobrius also employs a full-time medical director to provide medical and behavioral health consultations and treatment. Additional program and management support is provided by our clinical and administrative leadership team based in Galax and Bassett.

Our Lynchburg outpatient clients may commute to treatment from their home or can stay in our supportive housing, when available, while they are in treatment. Those residing in our housing unit on Mimosa Dr are transported by staff to and from the treatment center and other treatment-related destinations and activities.

People living in our supportive housing, recovery residences, and residential treatment centers are supervised by Sobrius employed, trained staff on a 24/7 basis. Sobrius staff must pass background checks through Virginia DSS and DBHDS (state police and FBI) to be employed by Sobrius.

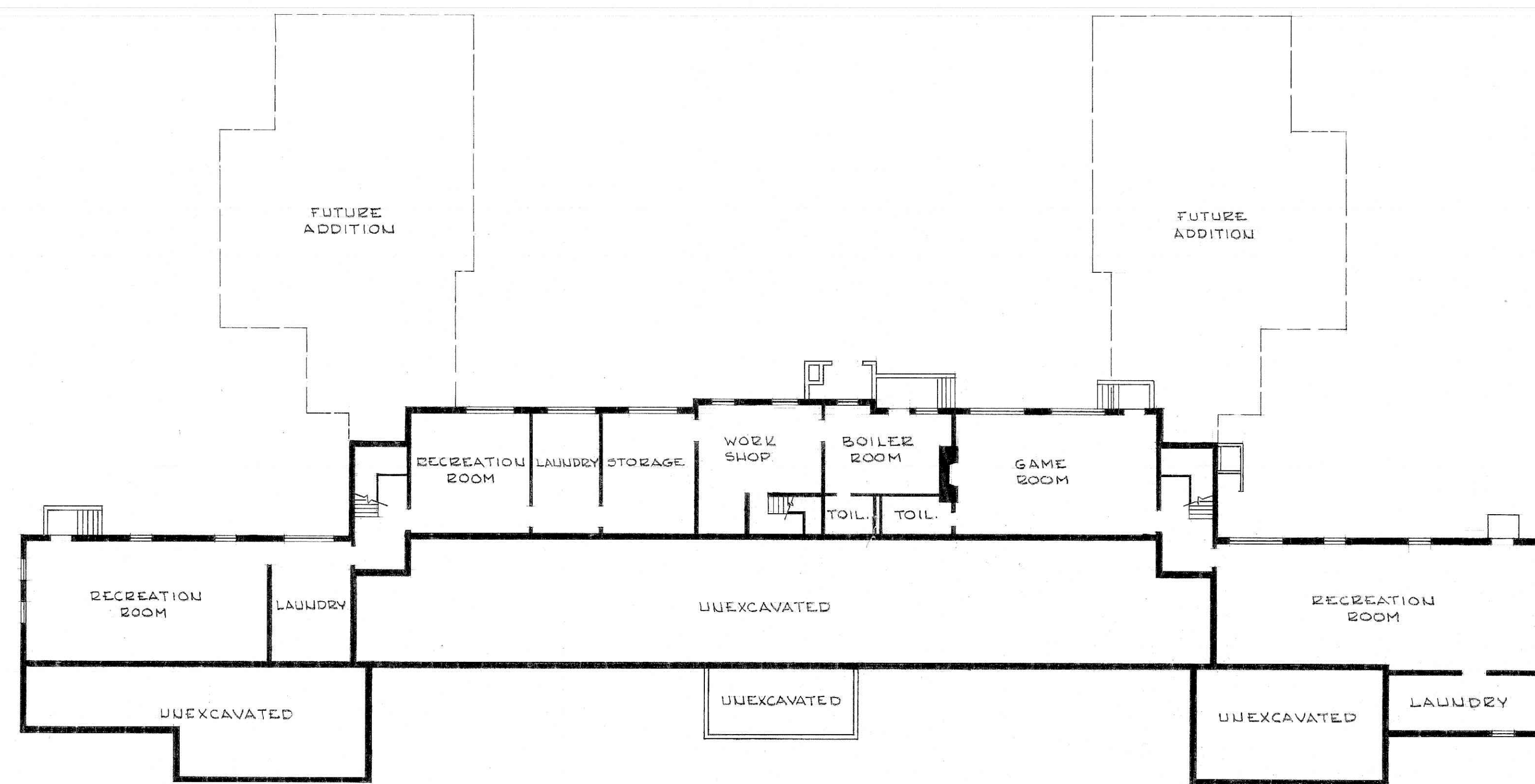
Clients are not allowed to leave the housing units or other campuses without permission in advance from the staff. They are not allowed to use substances or bring them into the housing while residing with us and violations result in discharge from the program, usually with a referral to another program.

The subject property and building at 2134 Westerly Dr is well suited for Sobrius' purposes as a residential treatment program. It can be used as is, barring any mechanical or functional repairs that may be needed. There are no current plans to reconfigure or expand the building. There is a perimeter fence surrounding most of the property and additional fencing will be installed in places where no perimeter fence exists prior to opening the residential center.

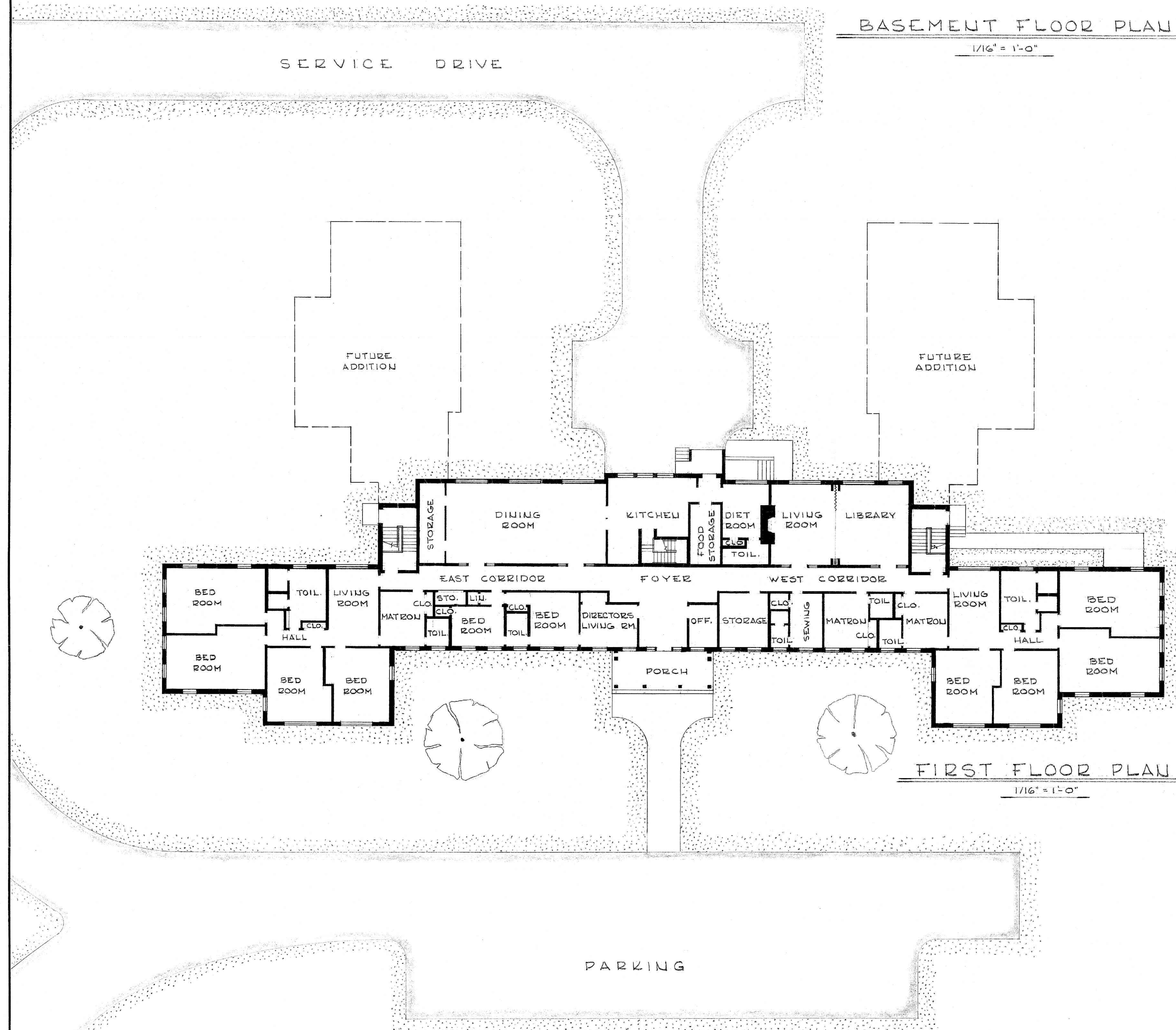
<https://sobrius.health>



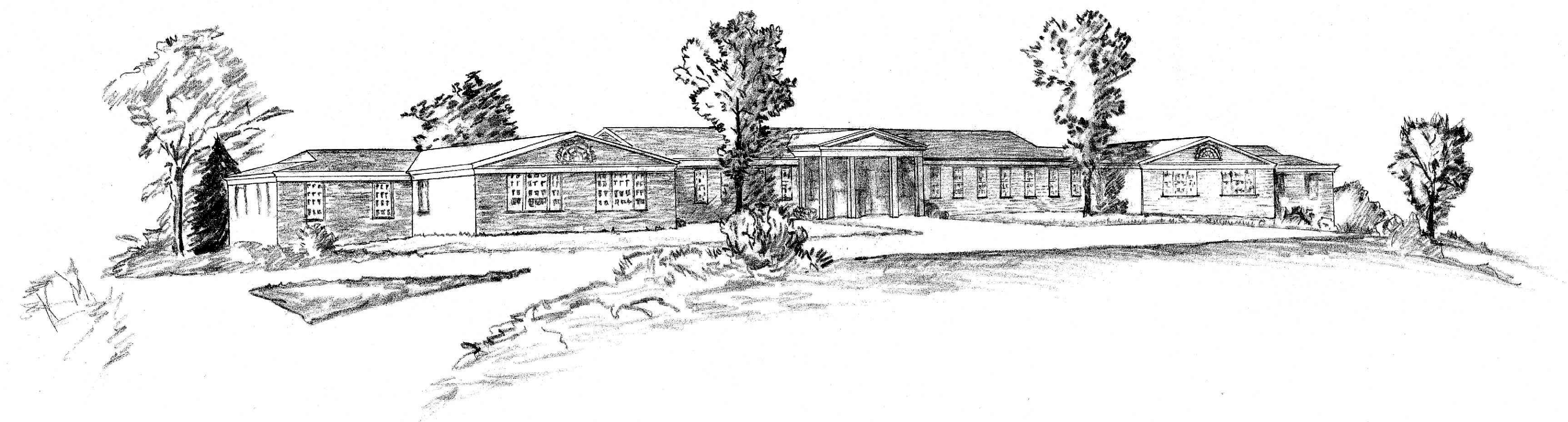
506 Cliffview Rd, Galax, VA. 24333
276-601-2736



BASEMENT FLOOR PLAN
1/16" = 1'-0"

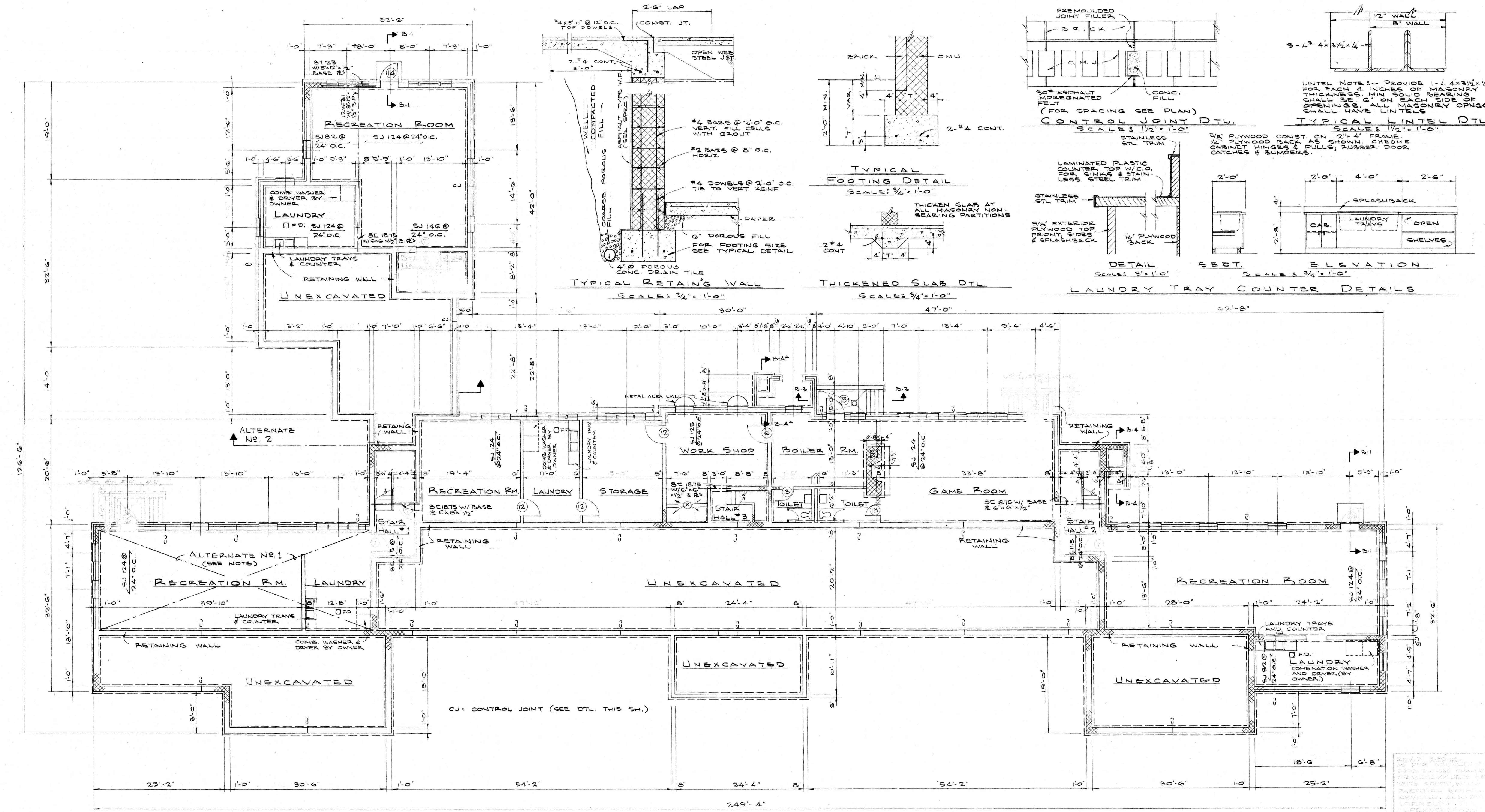
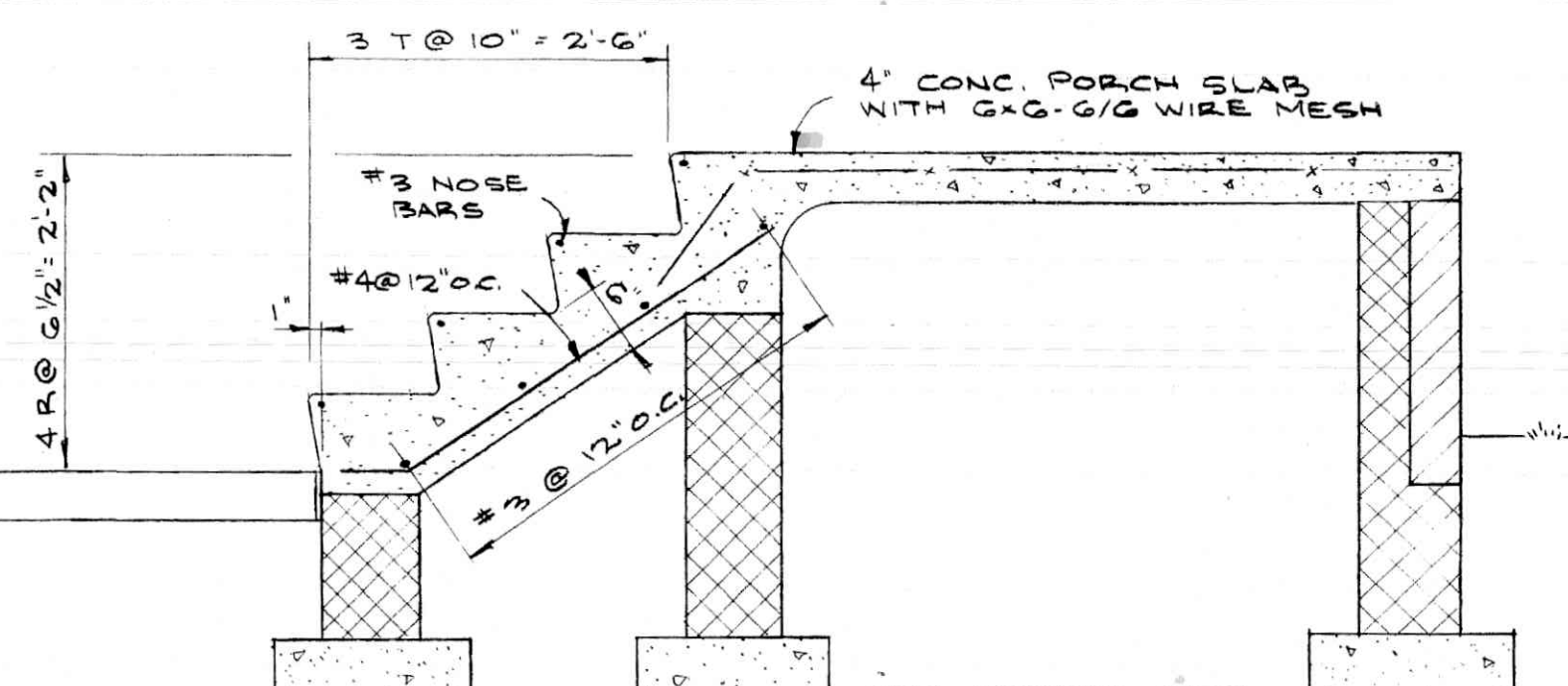
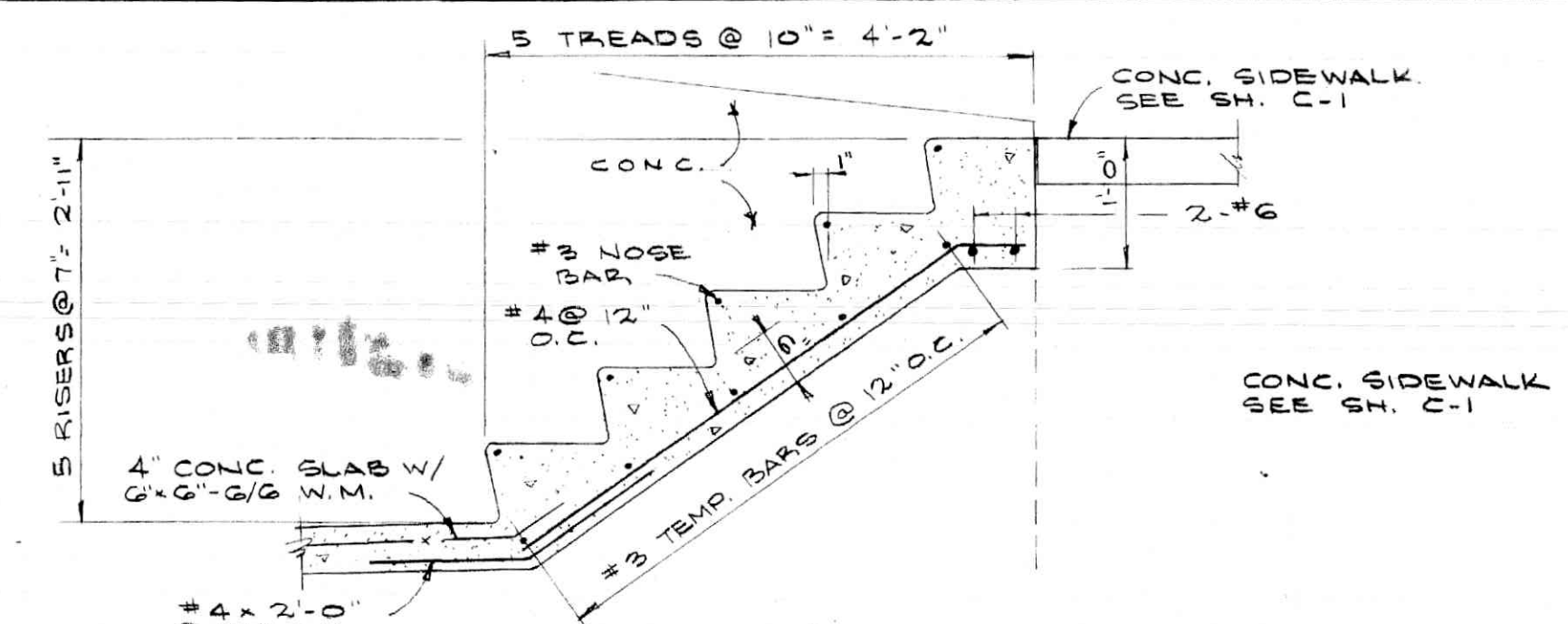
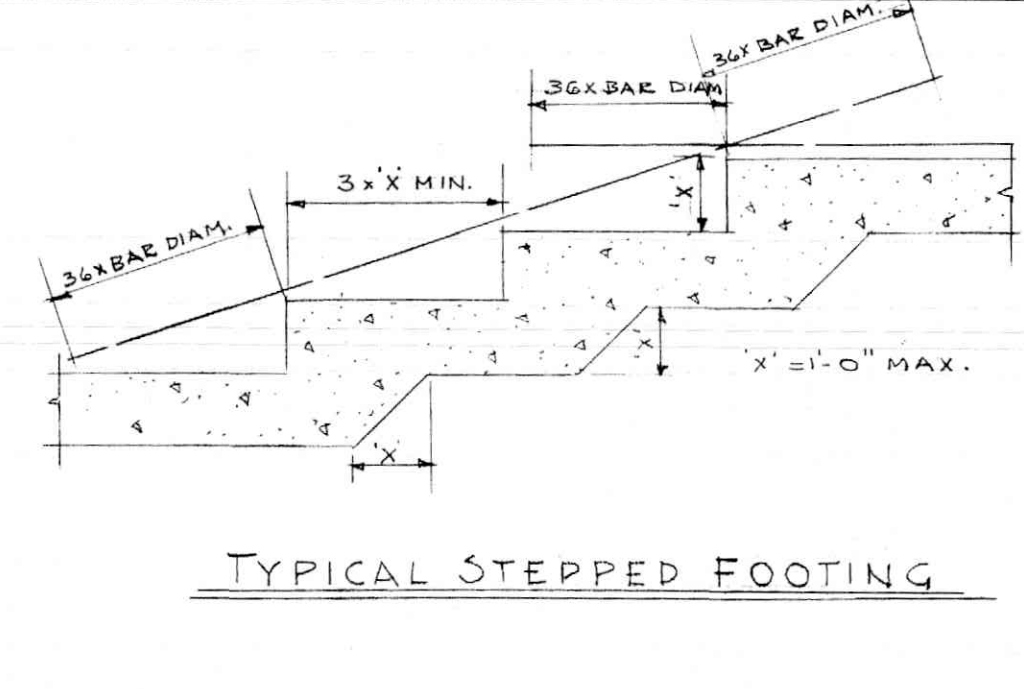
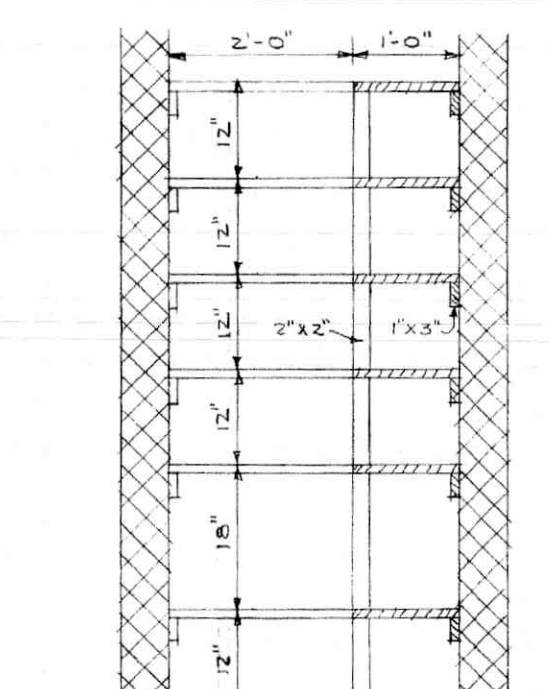
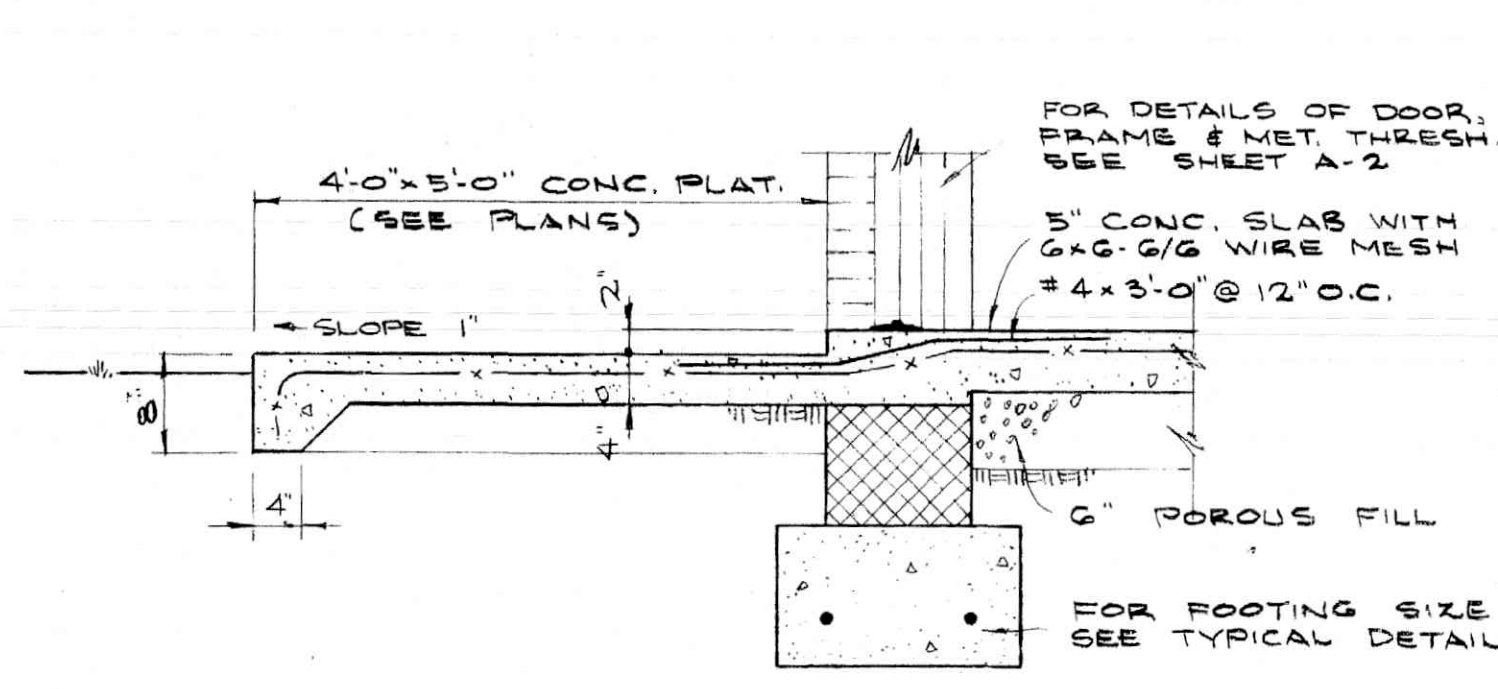


FIRST FLOOR PLAN
1/16" = 1'-0"



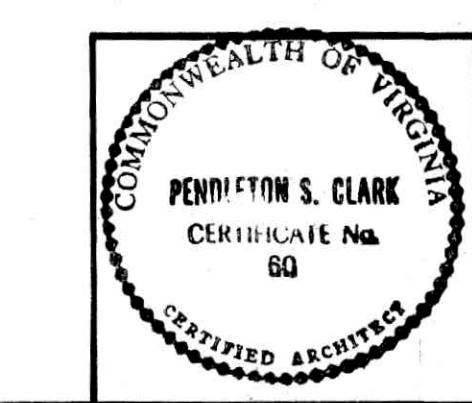
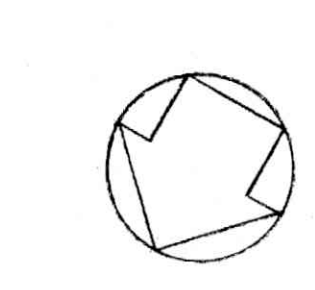
MILLER HOME
LYNCHBURG, VA.

CLARK, NEXSEN & OWEN—ARCHITECTS			
LYNCHBURG, VIRGINIA			
REVISED	PLANS & PERSPECTIVE		DWG. NO.
DATE	SCALE	DRAWN BY	CHECKED
JUNE 58	AS NOTED	J.E.S.	J.D.O.



- GENERAL NOTES:**
1. BOTTOM OF FOOTINGS SHALL BE A MIN. OF 2'-0" BELOW FINISH GRADE AND SHALL EXTEND AT LEAST 12" INTO UNDISTURBED SOIL.
 2. 4" PERFORATED CONC. PIPE FOUNDATION DRAINS SHALL BE PROVIDED @ BASMT WALLS.
 3. ALL CONC. SLABS ON GRADE SHALL BE 5" THICK W/ 4" G/G WIRE MESH REINF. OVER 6" POROUS FILL.
 4. ALL CONC. SUPPORTED SLABS SHALL BE 3" THICK ON 3/4" SELF-CENTERING METAL LATH.
 5. CMU RETAINING WALLS AND BASEMENT WALLS BELOW GRADE SHALL BE WATERPROOFED (SEE SPEC).
 6. FOR FRAMING DETAILS @ STAIR HALLS SEE SH A-1.
 7. FOR BRIDGING OF STEEL JOISTS SEE SPECIFICATIONS.
 8. ALL OPENINGS WITHOUT DOORS SHALL BE CASED OPENINGS 6'-8" HIGH.

BASEMENT PLAN
SCALE: 1/8" = 1'-0"

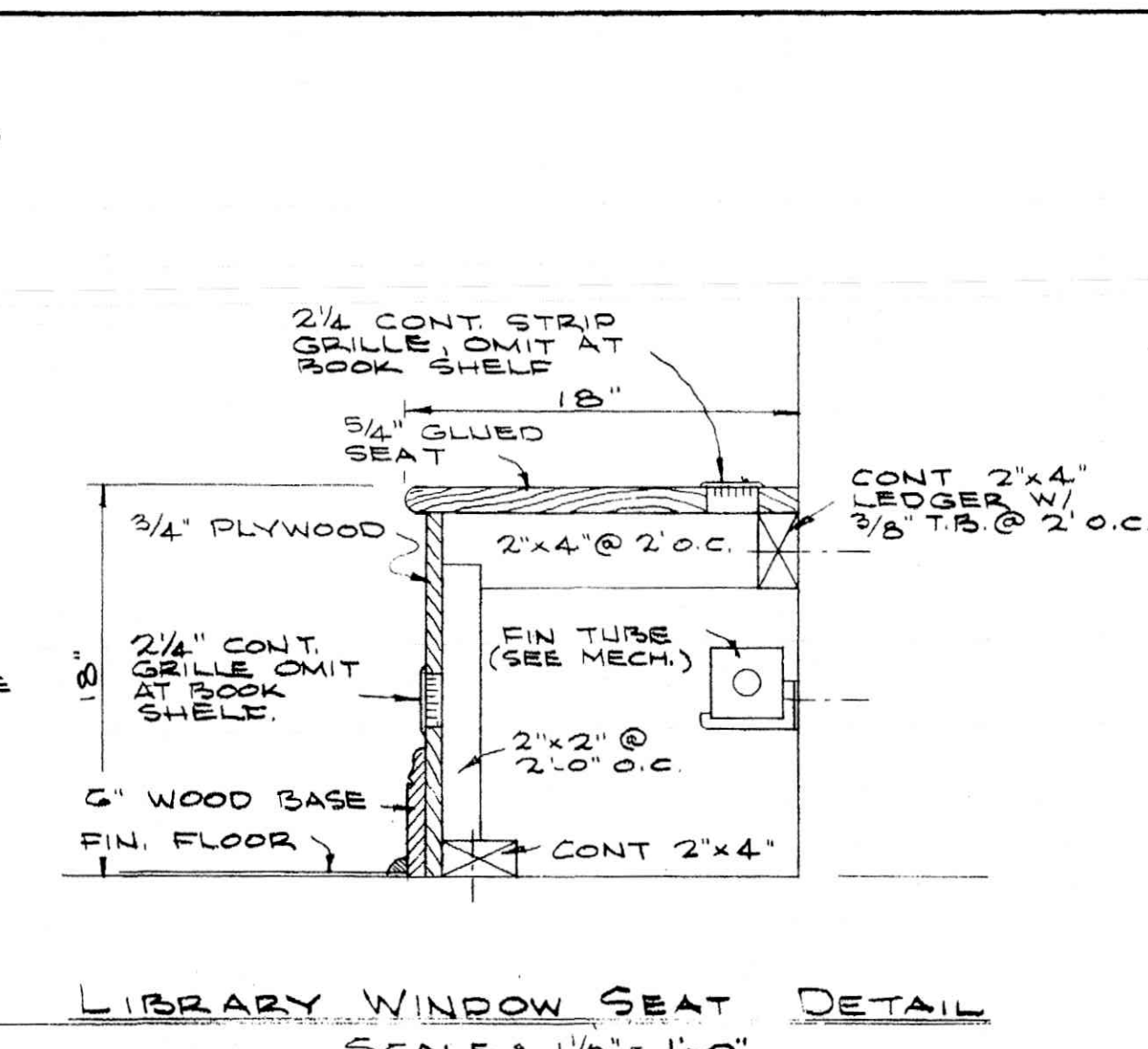
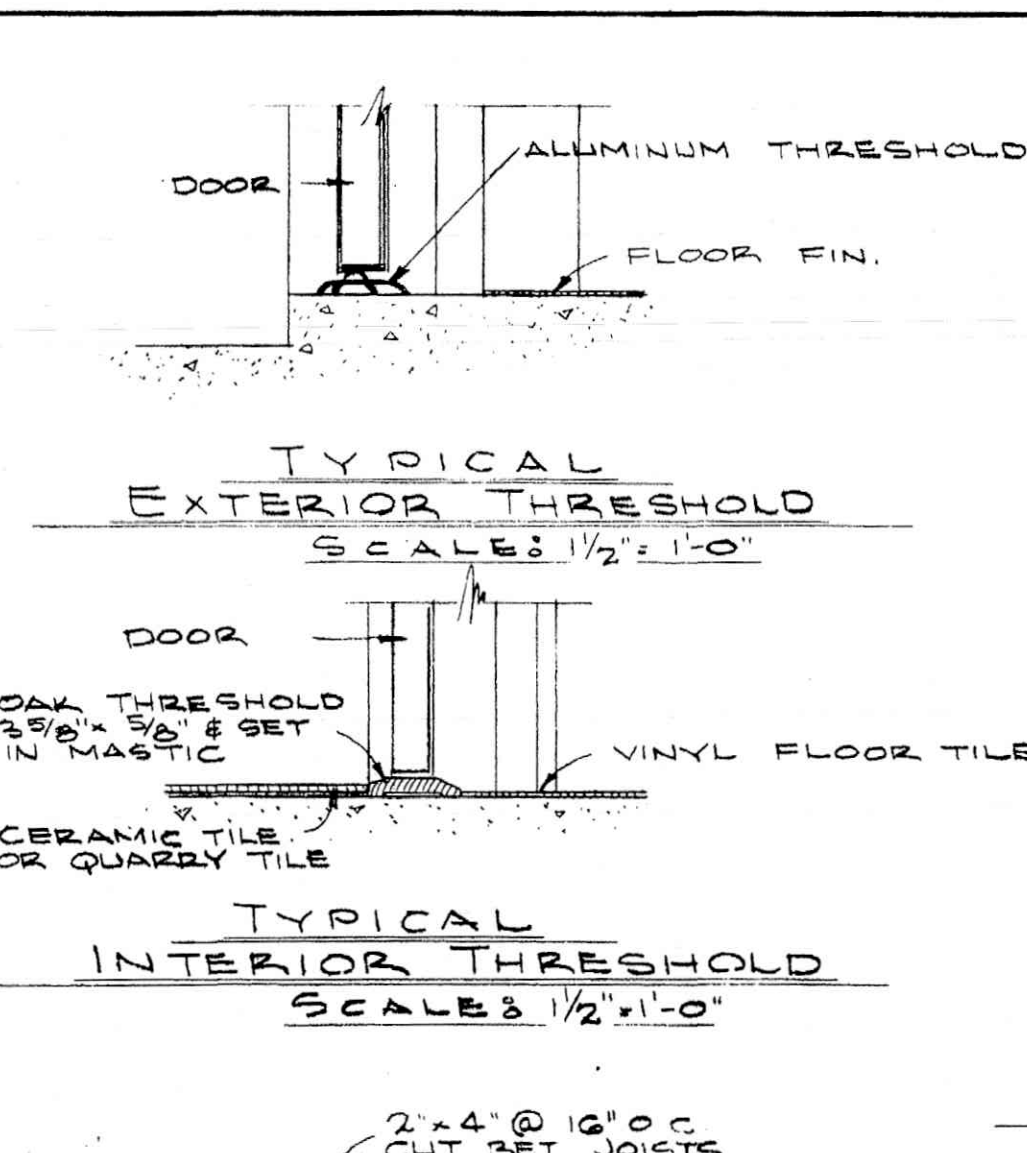
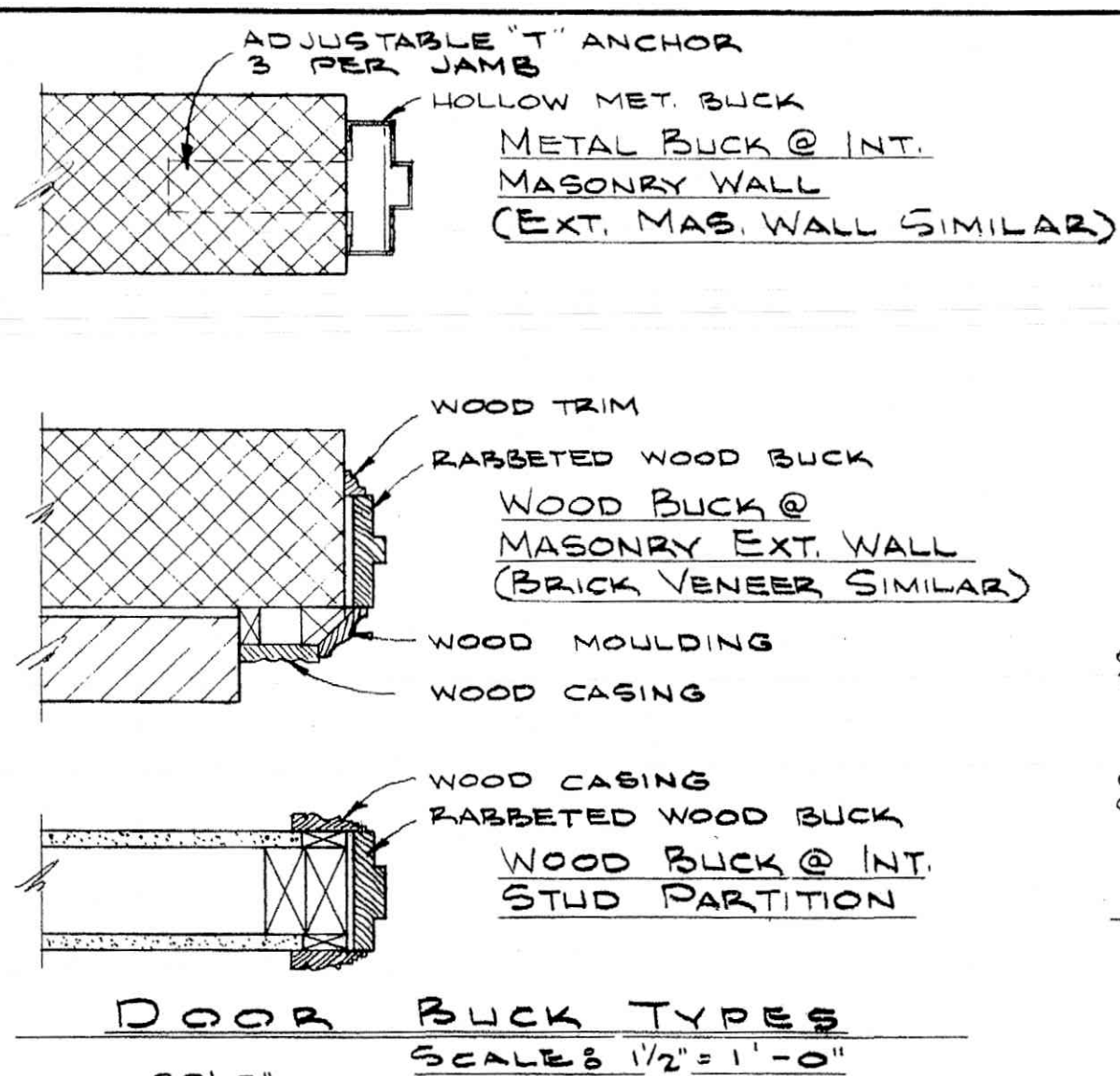


MILLER HOME
LYNCHBURG, VIRGINIA

CLARK, NEXSEN & OWEN - ARCHITECTS			
LYNCHBURG, VIRGINIA			
REVISED	DATE	SCALE	BY
	APR '58	AS SHOWN	J.G.S.
BASEMENT PLAN & DETAILS			CHECKED R.S.T.
			DWG. NO. A-1

DOOR SCHEDULE									
DOOR NO.	WIDTH	HEIGHT	THICKNESS	DOOR MATERIAL	DOOR TYPE	GLASS TYPE	FRAME MATERIAL	REMARKS	
1	3'-4"	7'-0"	1 3/4"	WOOD	6 PANEL	DSA	WOOD	SIDE LITE, PANELS & TRANSOM	
2	3'-4"	7'-0"	1 3/4"	DO.	2 PANEL	DSA	DO.	UPPER PANEL GLAZED	
3	3'-4"	7'-0"	1 3/4"	DO.	6 PANEL	DO.	DO.	OUTSIDE TRIM & HOOD (SEE DTL.)	
4	2'-0"	6'-8"	1 3/8"	DO.	4 LIGHT	DSA	DO.	SEE ELEV. SH. A-5	
5	3'-0"	6'-8"	1 3/8"	DO.	6 PANEL	DO.	DO.		
6	2'-8"	6'-8"	1 3/4"	WOOD MET. COVER.	2 PANEL		METAL		
7	3'-4"	6'-8"	1 3/4"	DO.	DO.		DO.		
8	2'-8"	6'-8"	1 3/8"	WOOD	6 PANEL	DSA	WOOD	2" WOOD IMPOST UPPER PANEL GLAZED	
9	2'-2"	6'-8"	1 3/8"	DO.	DO.		DO.		
10	3'-0"	6'-8"	1 3/8"	DO.	DO.		DO.	PAIR	
11	3'-4"	6'-8"	1 3/4"	DO.	DO.		DO.	OUTSIDE TRIM NO HOOD	
12	3'-0"	6'-8"	1 3/8"	DO.	2 PANEL		DO.		
13	2'-2"	6'-8"	1 3/8"	DO.	DO.		DO.		
14	3'-0"	7'-0"	1 3/4"	DO.	6 PANEL		DO.		
15	4'-0"	7'-0"	1 3/4"	DO.	2 PANEL		METAL	36"x36" LOUVER	

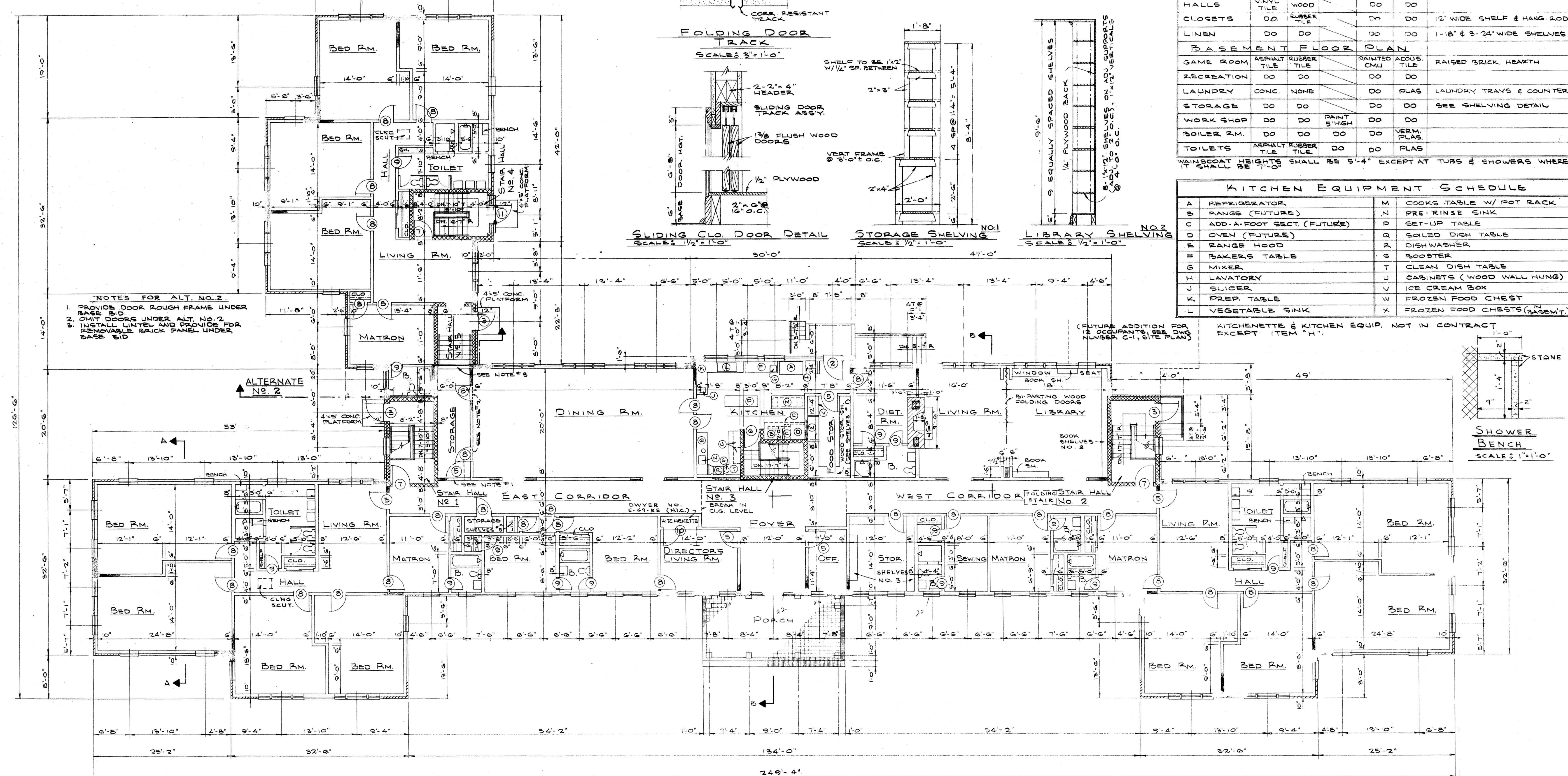
FOR DETAILS OF SLIDING CLOSET DOOR UNITS SEE SHEET A-2
FOR DOOR UNDERCUTS SEE MECH. DWGS.



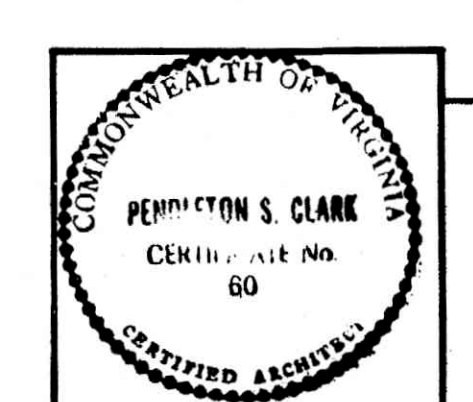
FINISH SCHEDULE						
ROOM NAME	FLOOR	BASE	W/COT.	WALL	CLNG.	REMARKS
GROUND FLOOR PLAN						
FOYER	VINYL TILE	WOOD		PLAS.	ACQUS.	CHAIR RAIL & CROWN MOLD
CORRIDORS	DO DO	DO		DO	DO	DO.
STAIR HALLS	DO DO	RUBBER TILE		DO	VERM. PLAS.	TERRAZZO & CONC. TREADS (SEE DETAIL)
MAIN LIVING RM.	DO	WOOD		DO	ACQUS. TILE	CHAIR RAIL & CROWN MOLD
LIBRARY	DO	DO		DO	DO	DO
DIET ROOM	DO	DO		DO	PLAS.	
FOOD STOR.	CONC	DO		DO	DO	SEE SHELVING DETAIL
KITCHEN	QUARRY TILE	CERAMIC TILE		CERAMIC TILE	DO	
DINING ROOM	VINYL TILE	WOOD		PLAS.	ACQUS. TILE	CHAIR RAIL & CROWN MOLD
STORAGE	DO	DO		DO	PLAS.	SEE SHELVING DETAIL
LIVING ROOMS	DO	DO		DO	DO	
BED ROOMS	DO	DO		DO	DO	
MATRON RMS.	DO	DO		DO	DO	
OFFICE	DO	DO		DO	ACQUS. TILE	CHAIR RAIL & CROWN MOLD
SEWING RM.	DO	DO		DO	PLAS.	
TOILETS	CERAMIC TILE	CERAMIC TILE	CERAMIC TILE	DO	DO	PROVIDE ST CURB & RC. TUB RECEPTOR @ SHOWERS AND
BATHS	DO	DO	DO	DO	DO	SHOWER CURTAIN RODS, WAINSCOT HGT. 7' @ TUB & SHR
HALLS	VINYL TILE	WOOD		DO	DO	
CLOSETS	DO	RUBBER TILE		DO	DO	12" WIDE SHELF & HANG. ROD
LINEN	DO	DO		DO	DO	1-18" & 3-24" WIDE SHELVES

KITCHEN EQUIPMENT SCHEDULE									
A	REFRIGERATOR	M	COOKS TABLE W/ POT RACK						
B	RANGE (FUTURE)	N	PRE-RINSE SINK						
C	ADD-A-FOOT SECT. (FUTURE)	P	SET-UP TABLE						
D	OVEN (FUTURE)	Q	SOLED DISH TABLE						
E	RANGE HOOD	R	DISHWASHER						
F	BAKERS TABLE	S	BOOSTER						
G	MIXER	T	CLEAN DISH TABLE						
H	LAVATORY	U	CABINETS (WOOD WALL HUNG)						
J	SLICER	V	ICE CREAM BOX						
K	PREP. TABLE	W	FROZEN FOOD CHEST						
L	VEGETABLE SINK	X	FROZEN FOOD CHESTS (BASEMT.)						

KITCHENETTE & KITCHEN EQUIP. NOT IN CONTRACT EXCEPT ITEM "H".

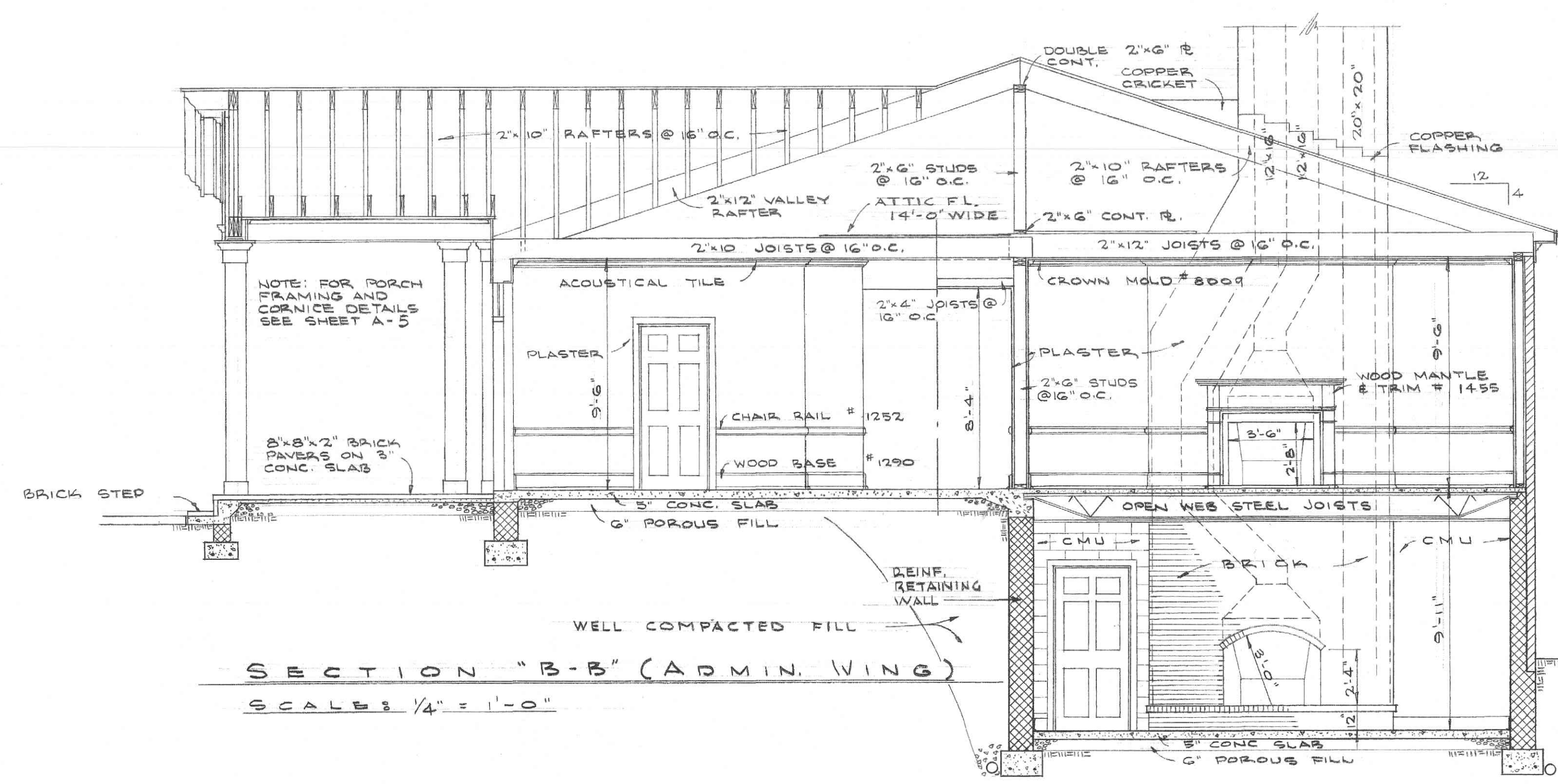
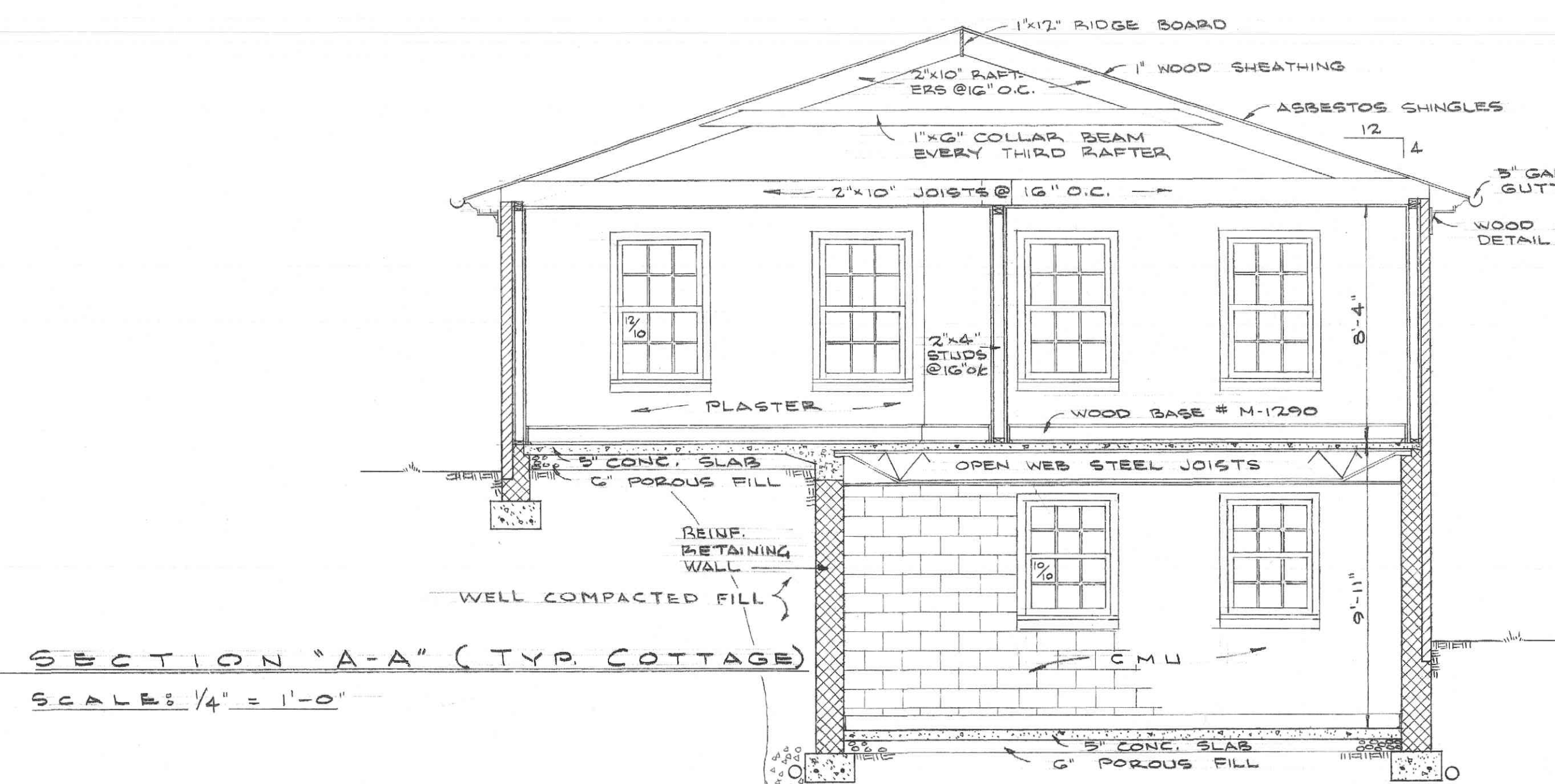


GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

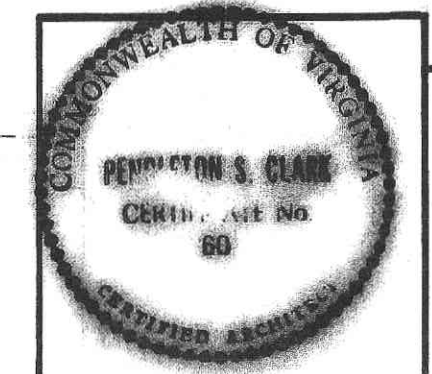
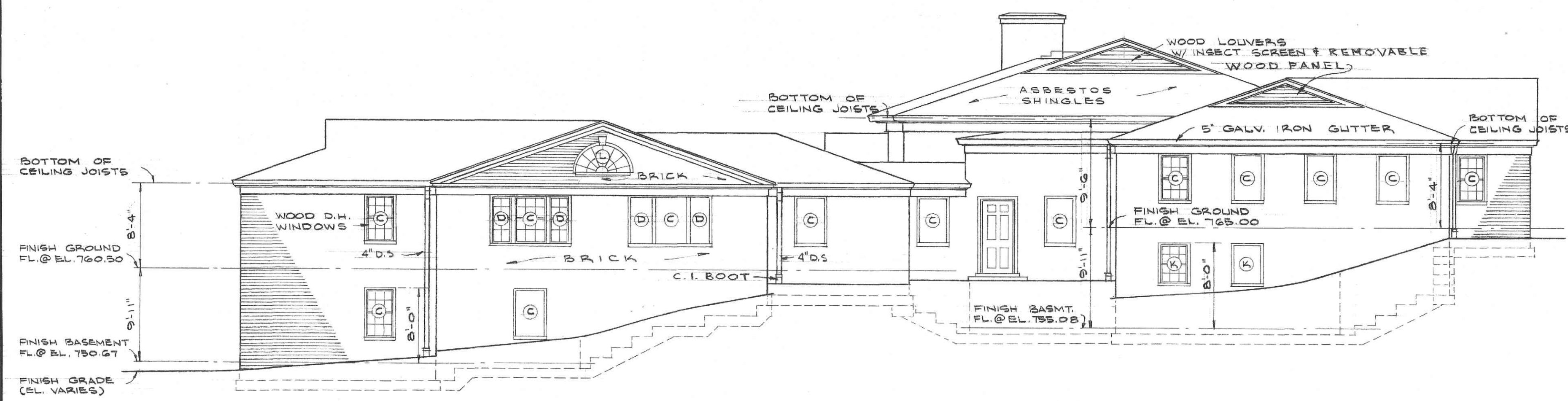
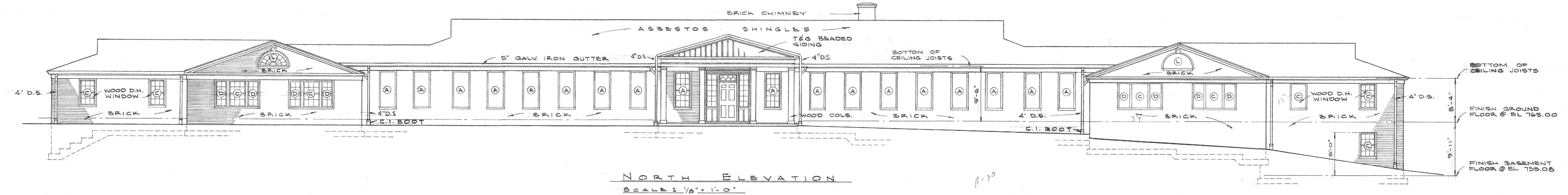
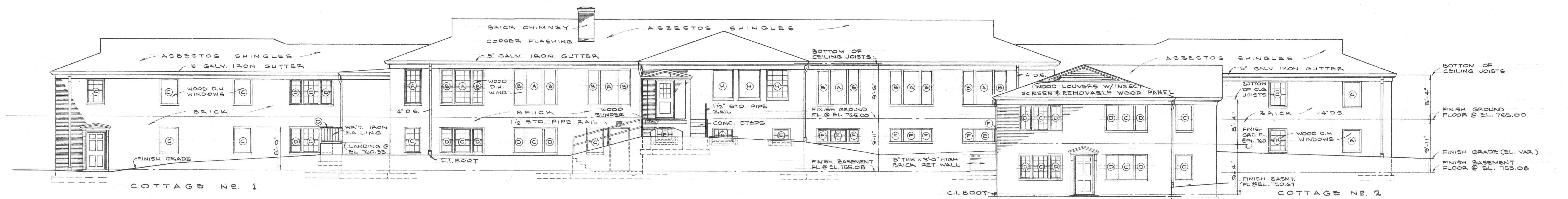


MILLER HOME
LYNCHBURG, VIRGINIA

CLARK, NEXSEN & OWEN - ARCHITECTS LYNCHBURG, VIRGINIA									
REVISED	SCALE	DRAWN BY	CHECKED	DATE	APR. '58	AS SHOWN	J.G.S.	R.S.T.	DWG. NO. A-2



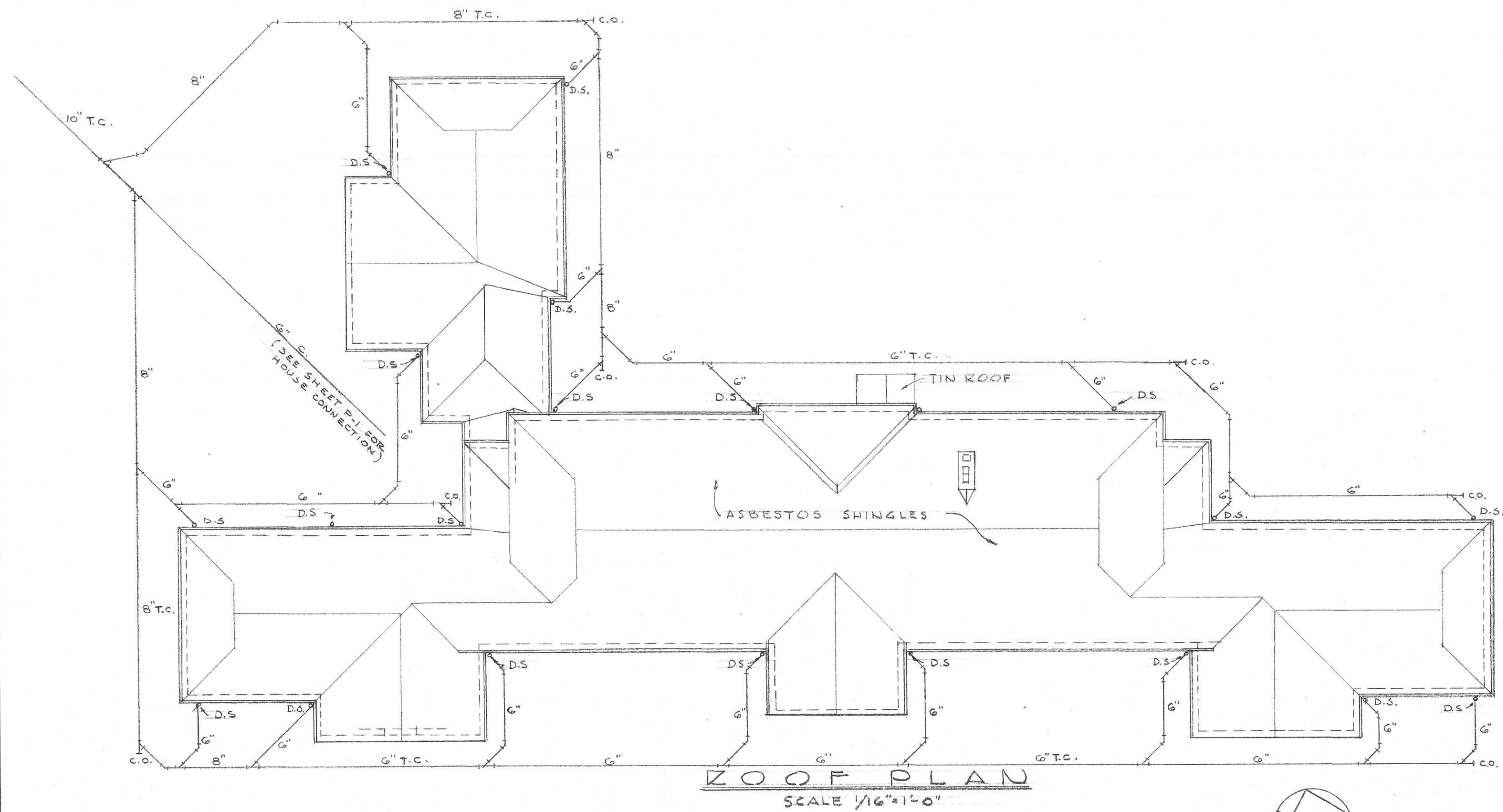
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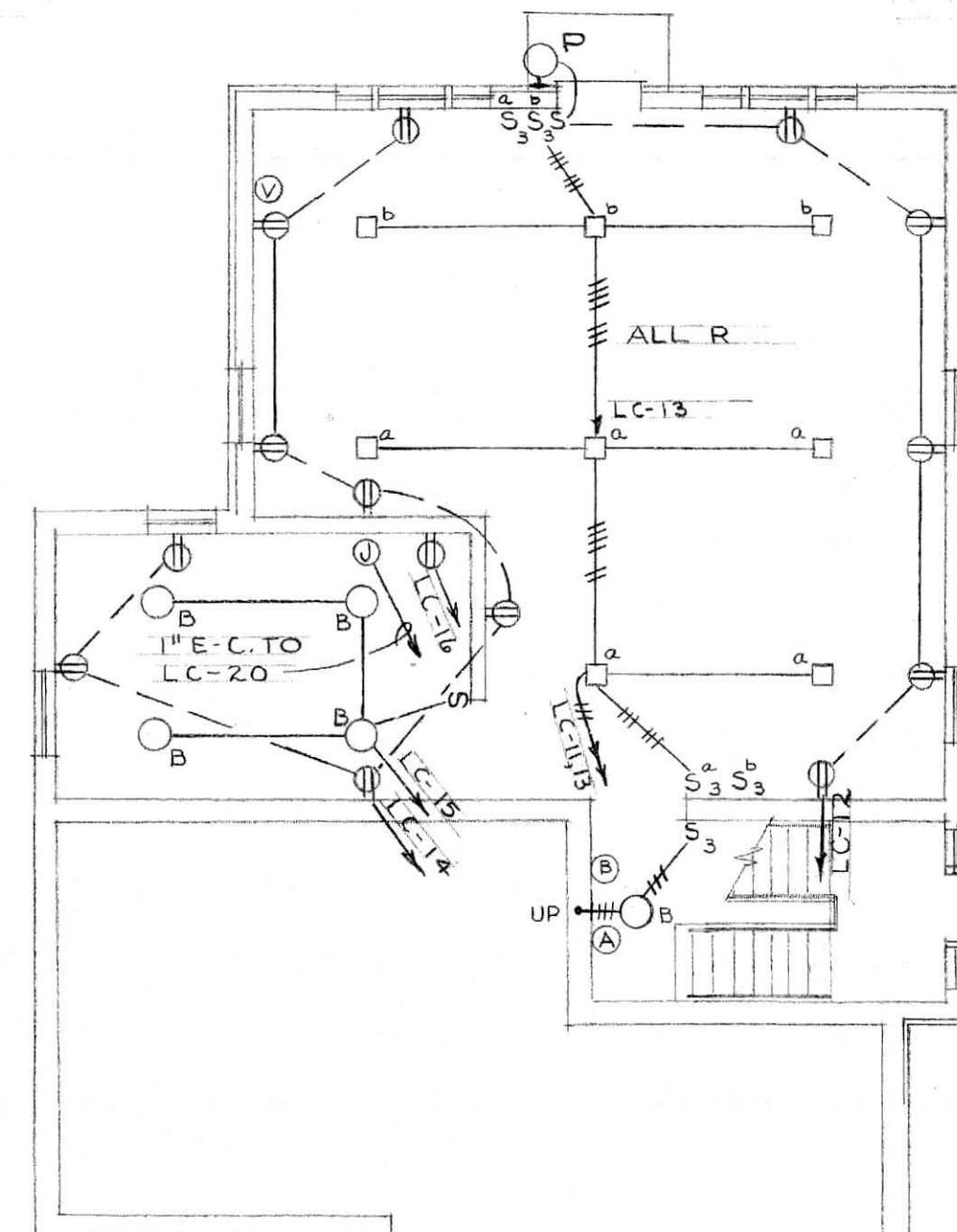
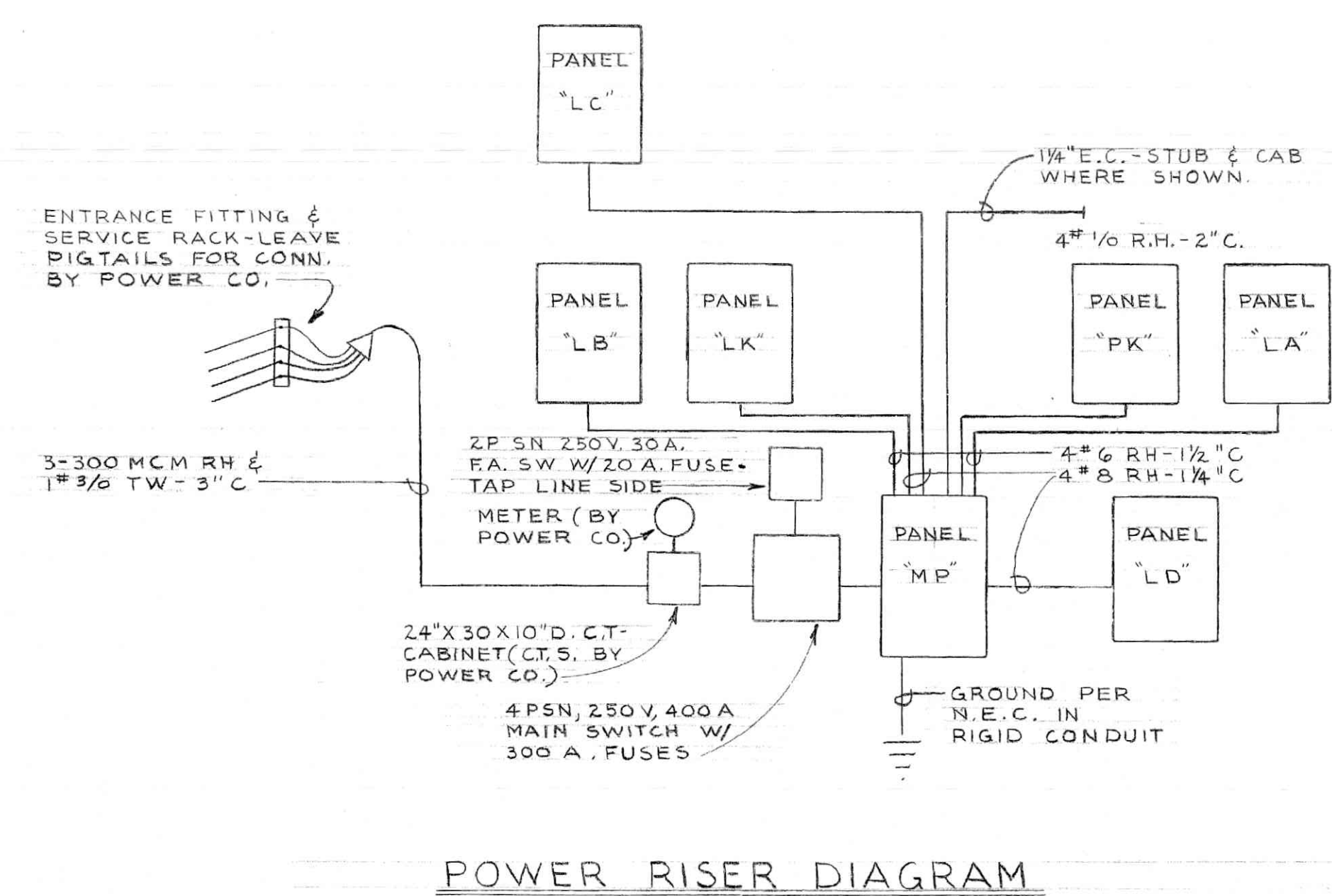
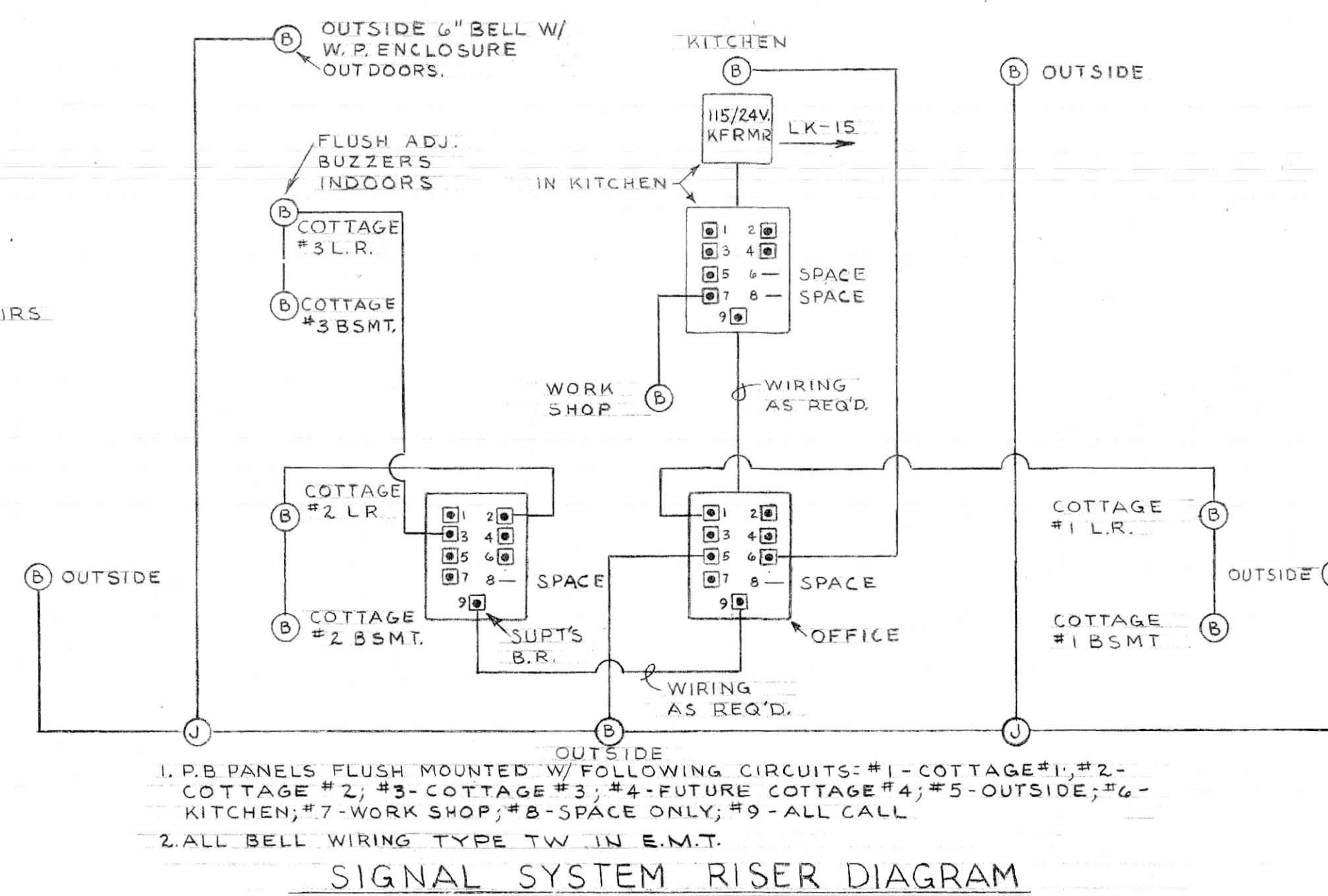
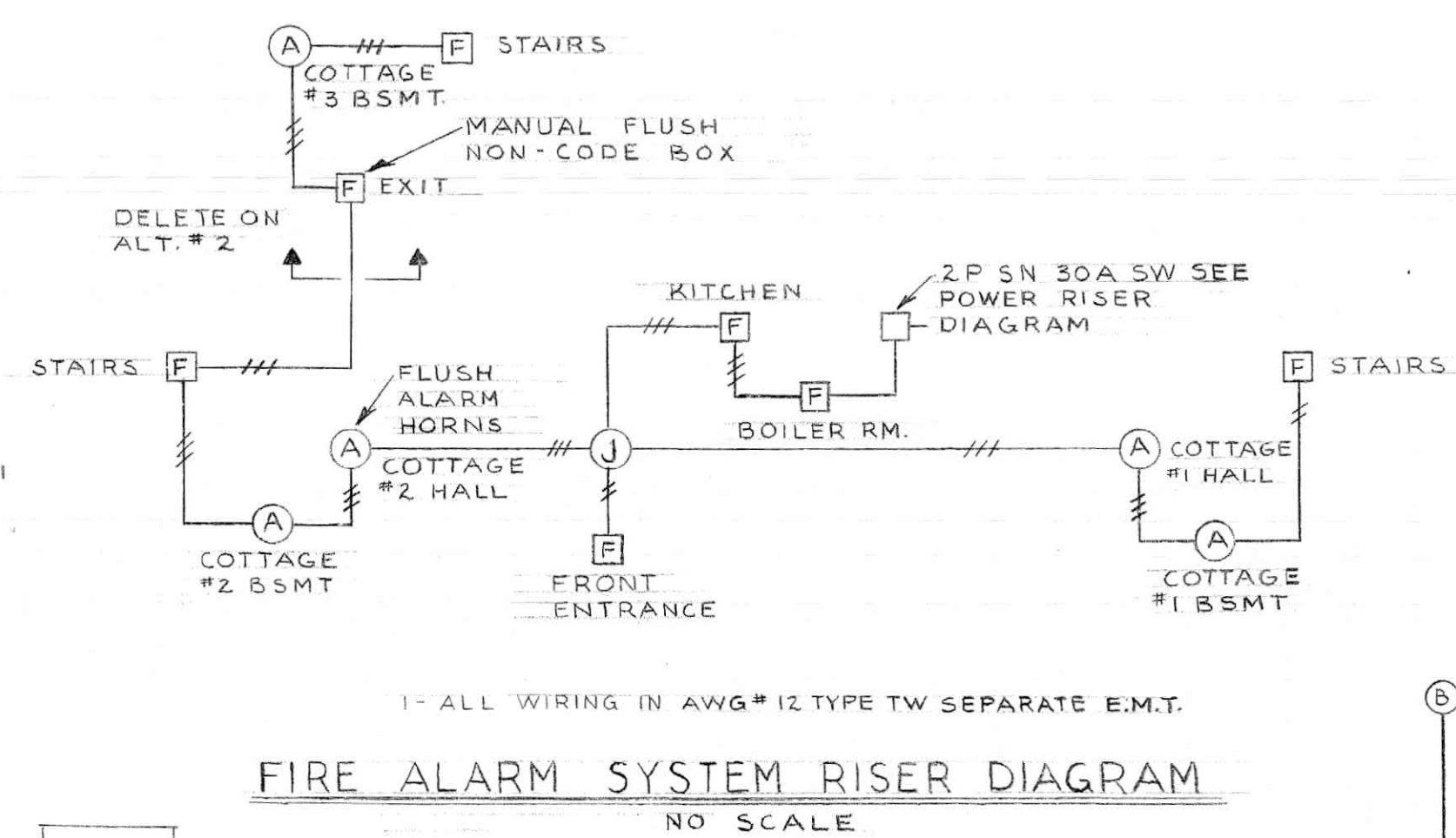
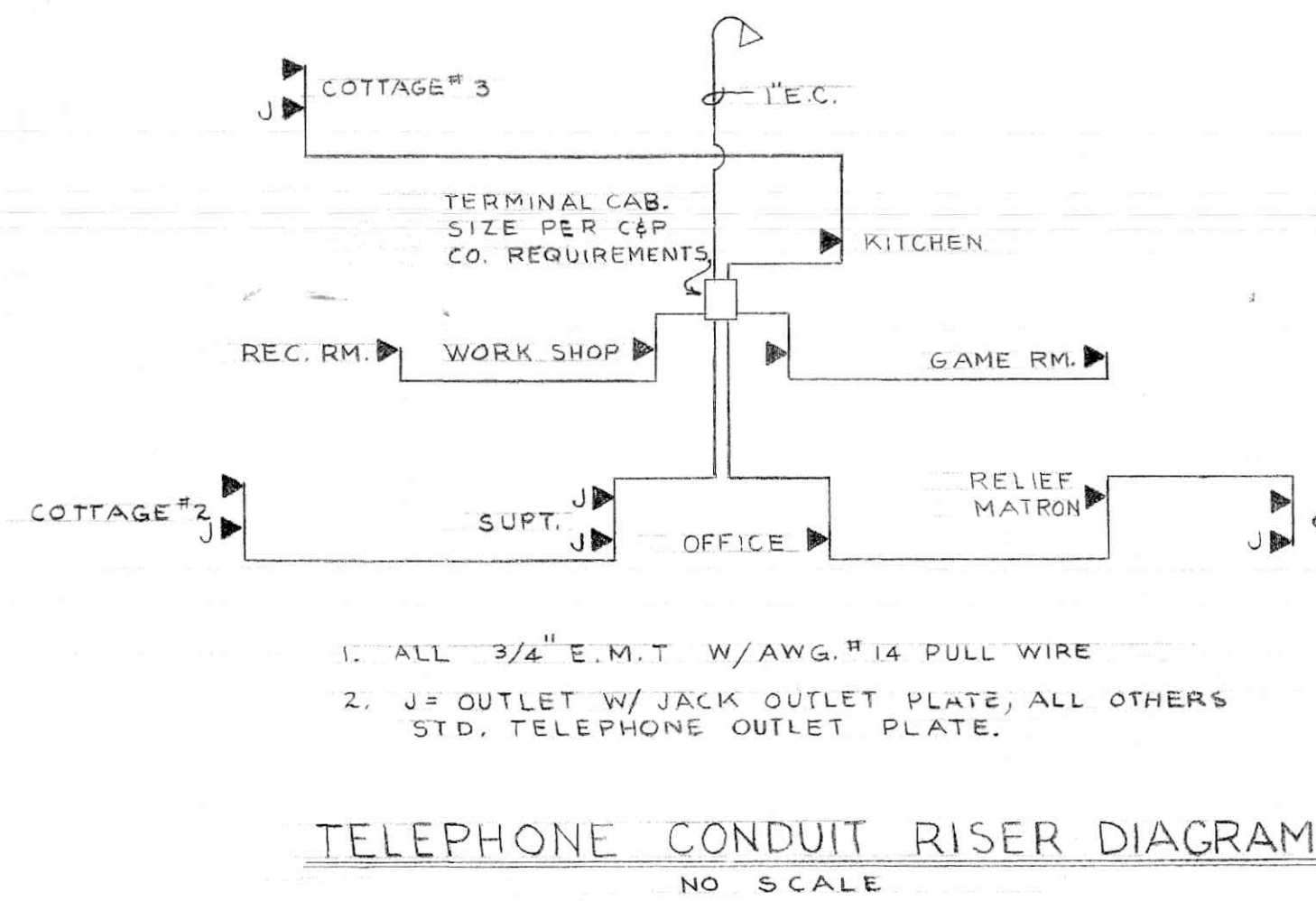


MILLER HOME
LYNCHBURG, VIRGINIA

CLARK, NEXSEN & OWEN - ARCHITECTS
LYNCHBURG, VIRGINIA

REVISED	DATE	SCALE	DRAWN BY	CHECKED BY	DWG. NO.
	APR '58	AS SHOWN	J. G. S.	R. S. T.	A-3





LIGHTING
BOILER CONTR.
EXH. FAN-1/8 HP
H.W. PUMP-1/4 HP
SPARE

S/N	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
1P, 20A	1P, 20A	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N

PANEL "LD"
NO SCALE

RECEPTACLE
H.W. CIRC-2-1/8 HP
CIRC-1/8 HP & UH-1/3 HP
H.W. CIRC-2-1/8 HP
FREEZER-1/2 HP
SPARE

PANEL "LK"
FUT. COTTAGE #4
SPACE ONLY
PANEL "LA"
PANEL "PK"

S/N	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
3P, 50	3P, 50	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N	120/208V, 3P, 4W S/N

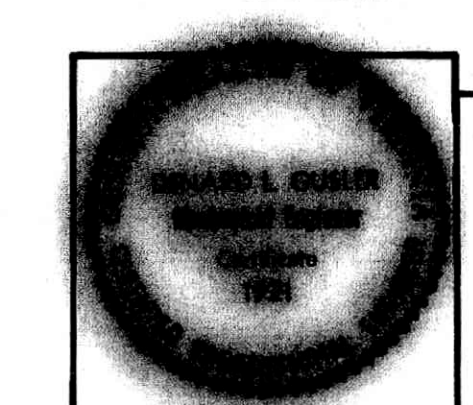
PANEL "MP"
NO SCALE

PANEL "LC"
PANEL "LD"
SPACE ONLY
PANEL "LB"
SPACE ONLY

BASEMENT PLAN - ELECTRICAL
SCALE: 1/8" = 1'-0"

- LEGEND
- INCANDESCENT FIXTURE CEILING MOUNTED.
 - " " WALL MOUNTED.
 - " " RECESSED BOX.
 - " " FLOODLIGHT.
 - FLUORESCENT " CEILING MOUNTED.
 - DUPLEX CONVENIENCE OUTLET, 15A, 125V, GROUNDING.
 - TYPE-12" UP BASEMENT; 15" UP GROUND FLOOR FLOOR OUTLET-15A, 125V-IN ADJ. W.T. FLOOR BOX.
 - TELEPHONE OUTLET-J=JACK PLATE WHERE SHOWN-12" UP BASEMENT; 15" UP GROUND FLOOR.
 - SIGNAL BELL OR BUZZER-SEE RISER-7'-6" UP INDOORS; AT EAVE OUTDOORS.
 - FIRE ALARM BOX, MANUAL-4'-6" UP, FLUSH.
 - FIRE ALARM HORN-7'-6" UP.
 - T.V. ANTENNA OUTLET W/ TELEPHONE PLATE-12" UP-RUN 3/4" E.C. TO J.B. IN ATTIC FROM EACH.

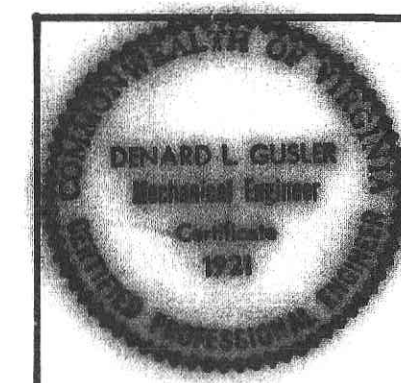
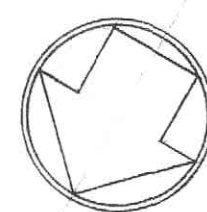
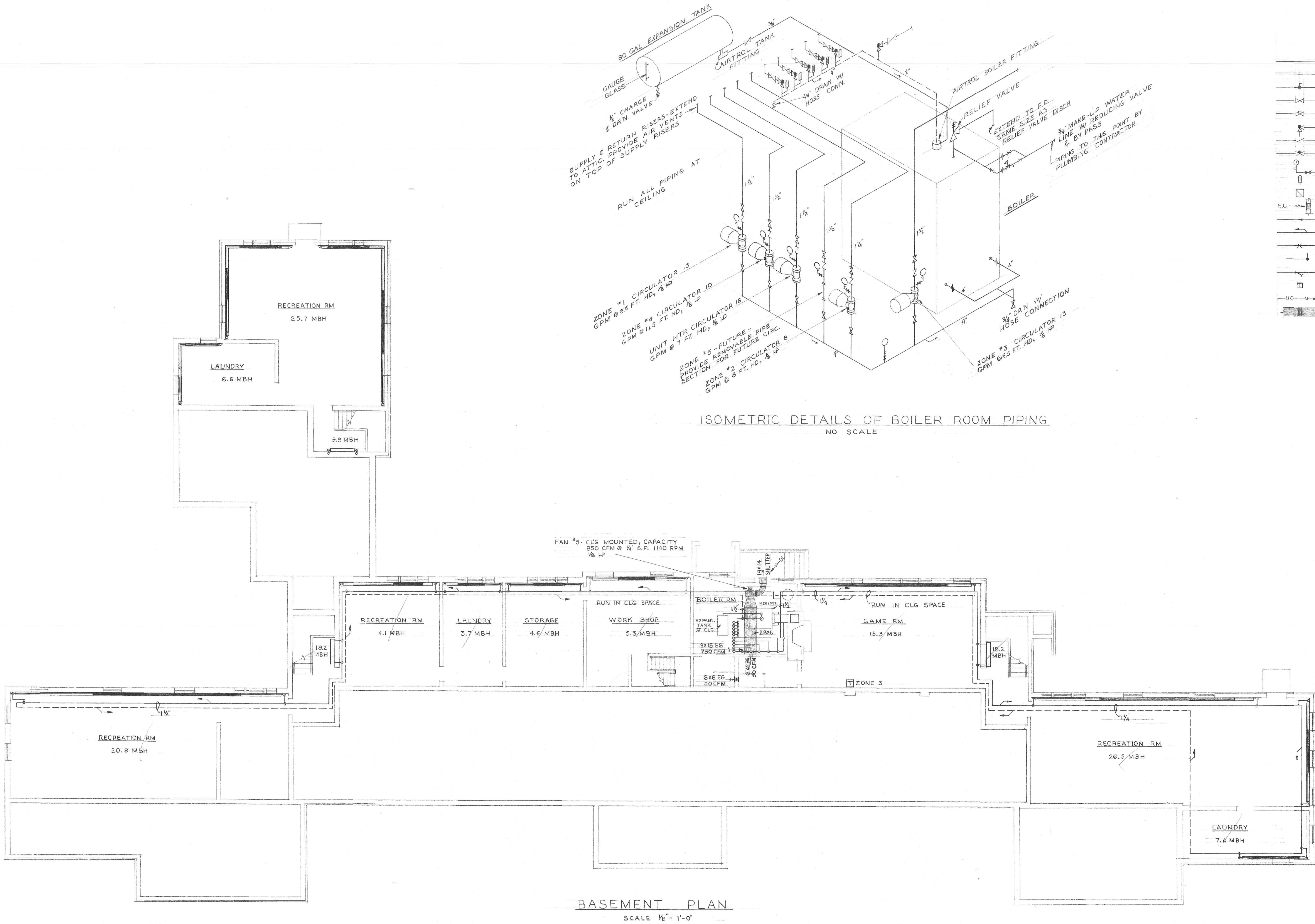
- LEGEND
- S TOGGLE SWITCH, SINGLE POLE-20A 125V-4'-0" UP
 - S3 TOGGLE SWITCH, 3WAY-20A, 125V-4'-0" UP
 - POWER PANELBOARD-SEE SCHEDULE
 - LIGHTING " "
 - TELEPHONE CABINET.
 - MISCELLANEOUS-AS NOTED.
 - MANUAL MOTOR STARTER W/ T.O.L.
 - THERMOSTAT-SEE MECH. SPECS.
 - JUNCTION BOX.
 - MOTOR-H.P. SHOWN
 - CIRCUIT CONCEALED IN WALLS OR CEILING-CROSSHATCHING INDICATES NO WIRES IF OTHER THAN TWO.
 - CIRCUIT CONCEALED IN FLOOR.
 - HOME RUN-PANEL "LA"-CIRCUIT NO. 2.



MILLER HOME
LYNCHBURG, VIRGINIA

CLARK, NEXSEN & OWEN - ARCHITECTS LYNCHBURG, VIRGINIA					DWG. NO.
REVISED	BASEMENT PLAN & DETAILS				E-1
DATE	SCALE	DRAWN BY	CHECKED		
APR. '58	AS SHOWN	J.R.W.	D.L.G.		

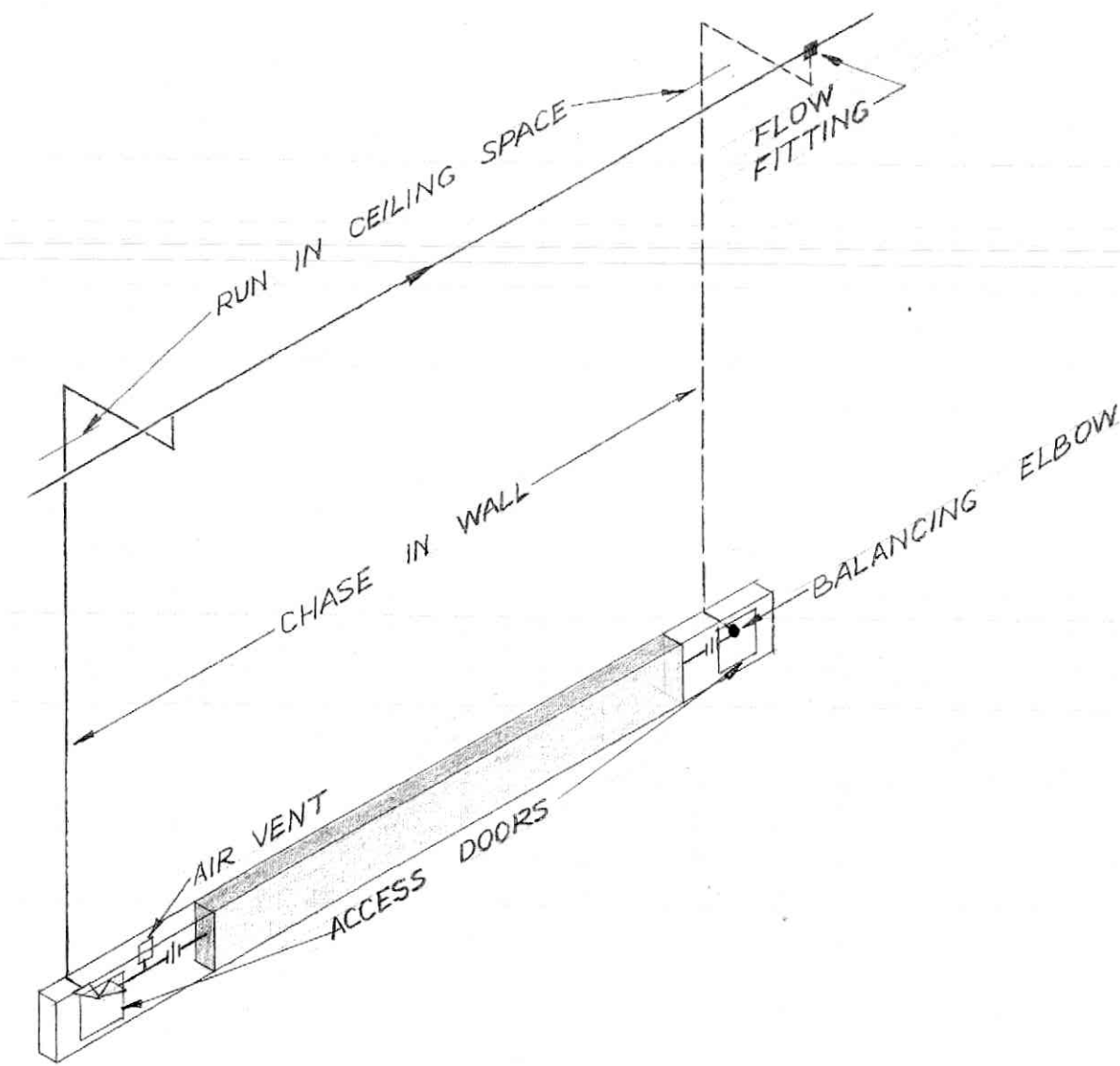
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LIGHTING	1	1P 20A	1P 20A	2	
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LIGHTING	11	"	"	12	
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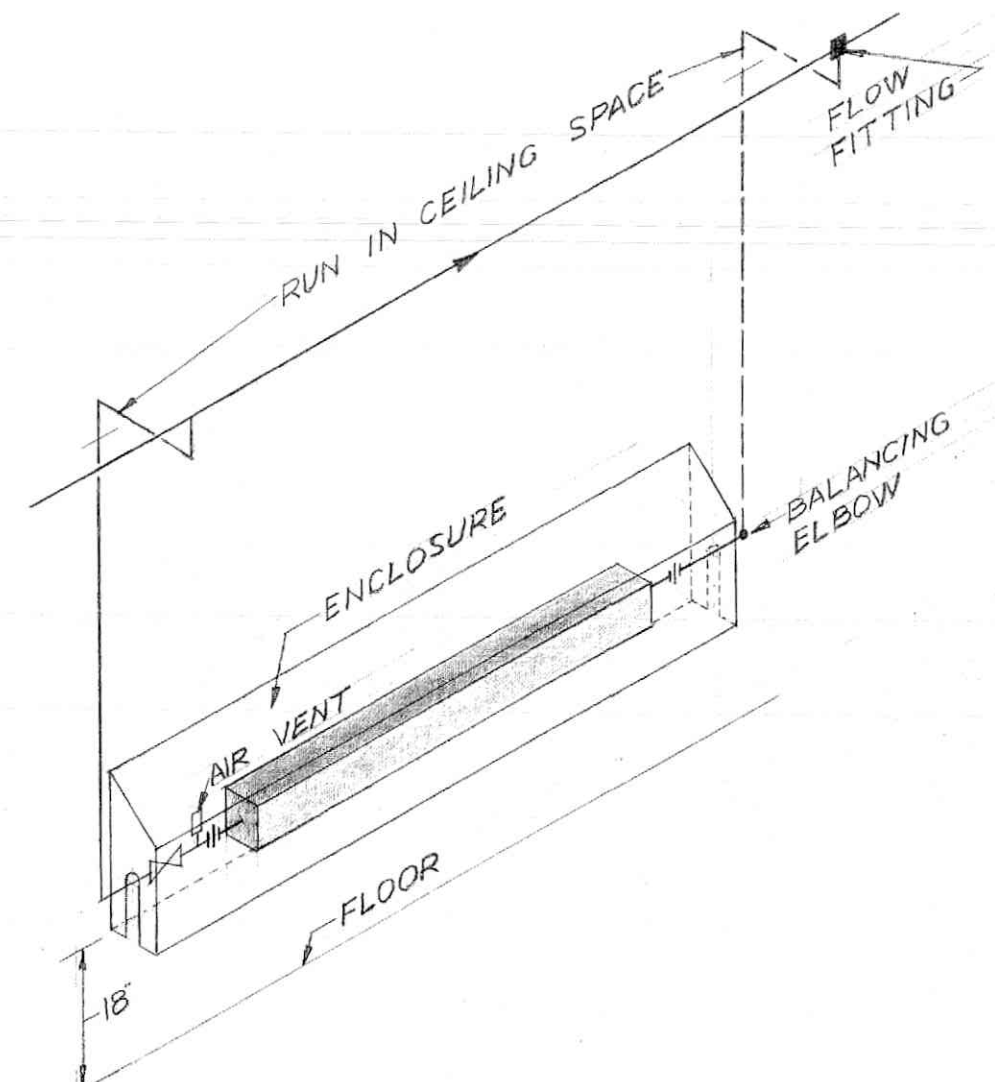
MILLER HOME
LYNCHBURG, VIRGINIA

CLARK, NEXSEN & OWEN - ARCHITECTS
LYNCHBURG, VIRGINIA

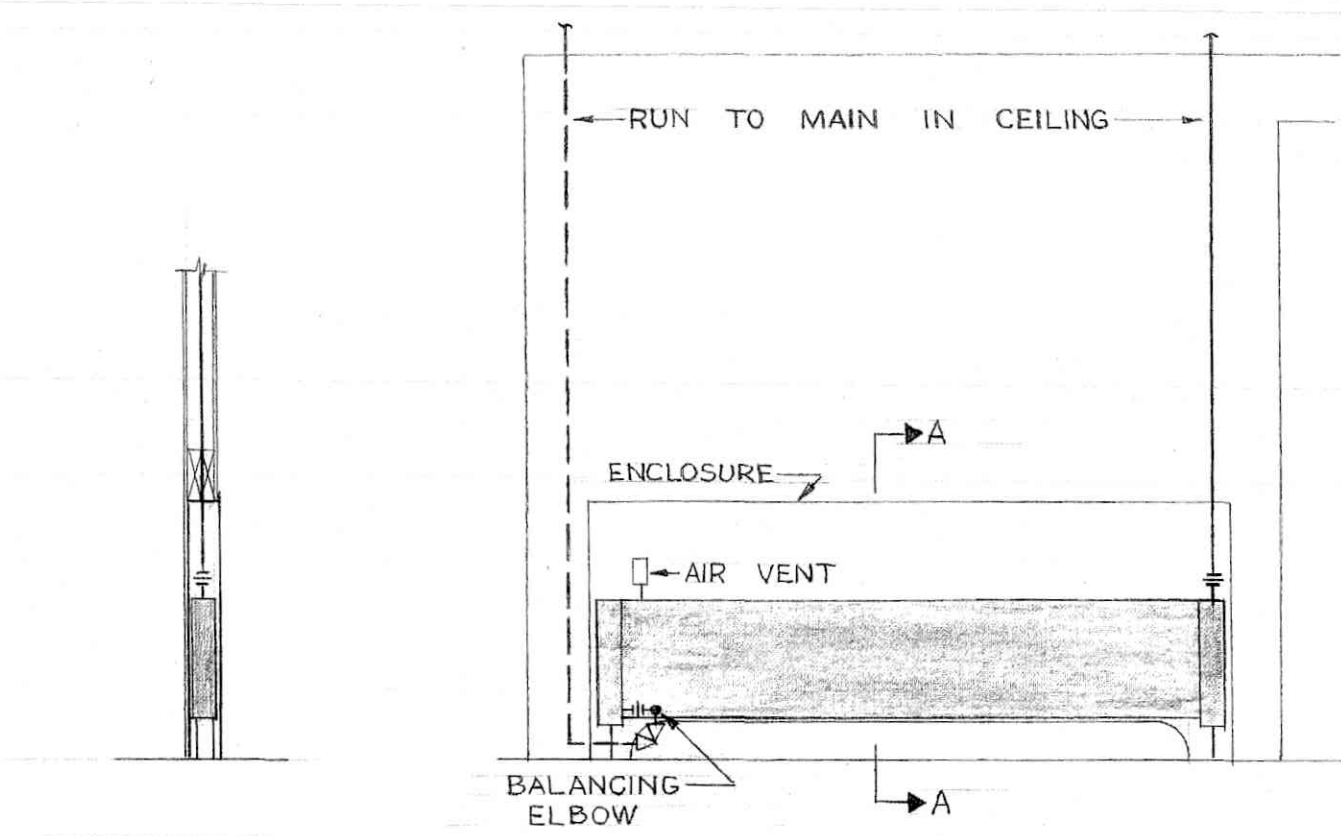
REVISED	DATE	SCALE	DRAWN BY	CHECKED	DWG. NO.
	APR '58	AS SHOWN	G. C. O.	D. L. O.	M-1



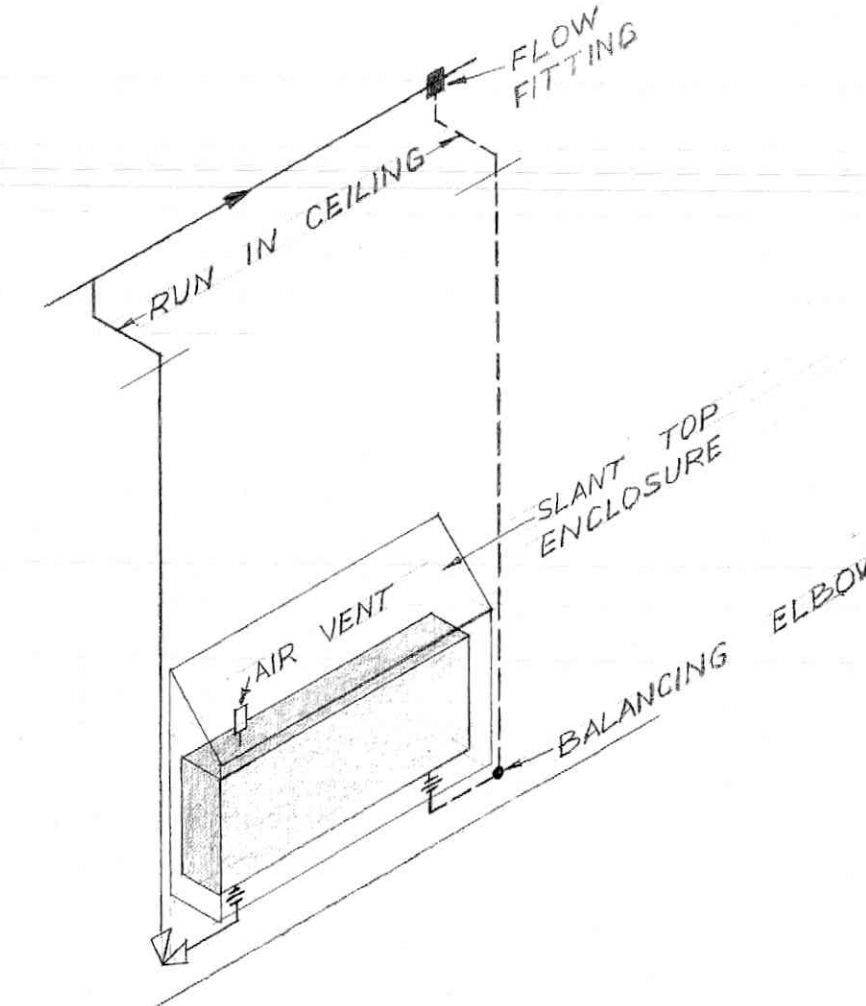
BASEBOARD PIPING RISER DIAGRAM
NO SCALE



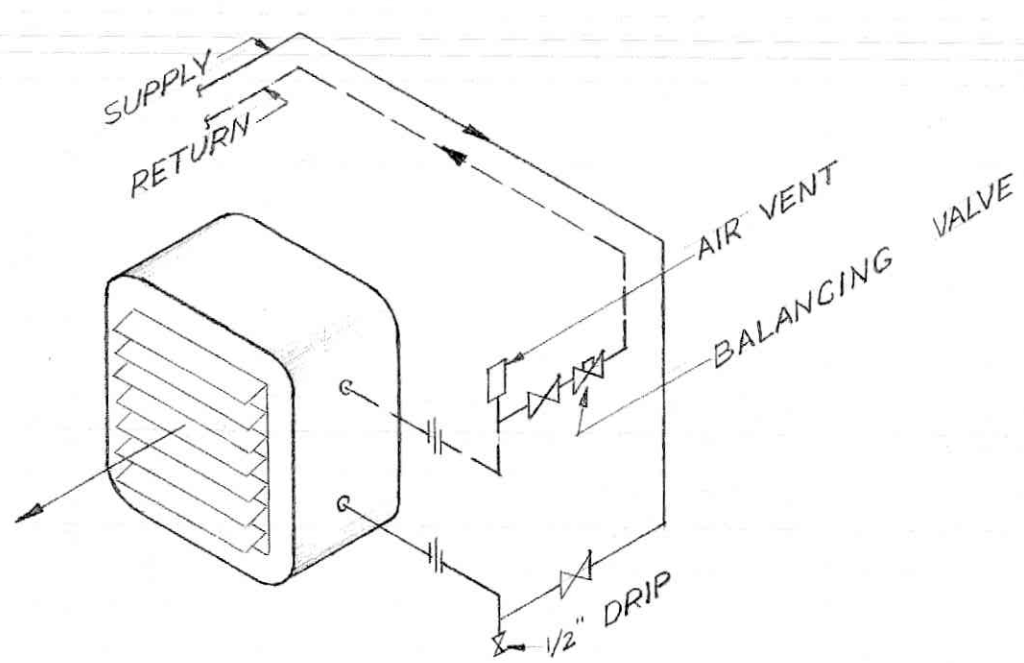
WALL FIN RISER DIAGRAM
NO SCALE



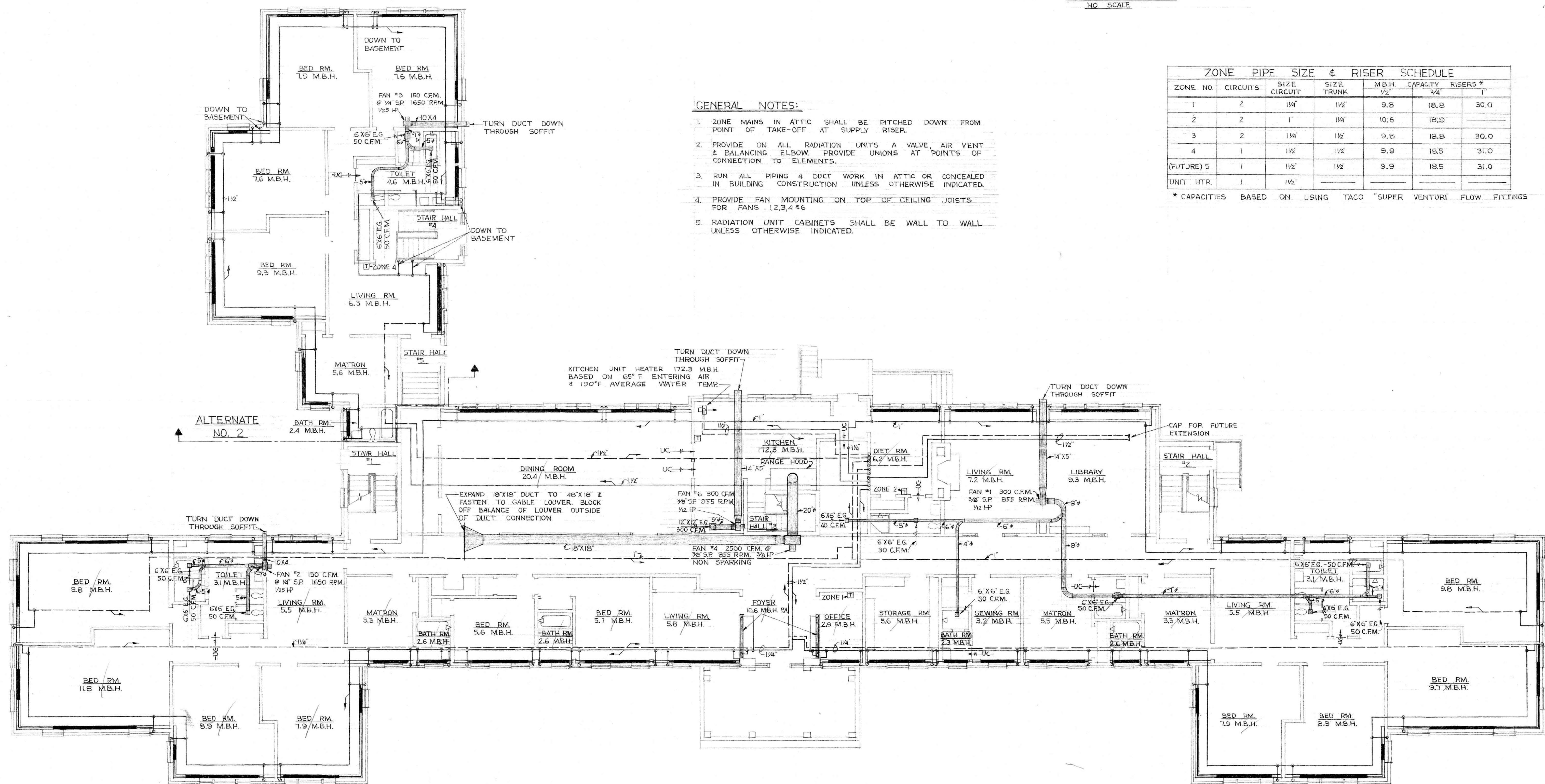
SECTION A-A
RECESSED CONVECTOR PIPING DIAGRAM
NO SCALE



WALL HUNG CONVECTOR PIPING
RISER DIAGRAM
NO SCALE



UNIT HEATER PIPING RISER DIAGRAM
NO SCALE



GROUND FLOOR PLAN
SCALE 1/8\"/>

GENERAL NOTES:

1. ZONE MAINS IN ATTIC SHALL BE PITCHED DOWN FROM POINT OF TAKE-OFF AT SUPPLY RISER.
2. PROVIDE ON ALL RADIATION UNITS A VALVE, AIR VENT & BALANCING ELBOW. PROVIDE UNIONS AT POINTS OF CONNECTION TO ELEMENTS.
3. RUN ALL PIPING & DUCT WORK IN ATTIC OR CONCEALED IN BUILDING CONSTRUCTION UNLESS OTHERWISE INDICATED.
4. PROVIDE FAN MOUNTING ON TOP OF CEILING JOISTS FOR FANS 1,2,3,4 & 6.
5. RADIATION UNIT CABINETS SHALL BE WALL TO WALL UNLESS OTHERWISE INDICATED.

ZONE PIPE SIZE & RISER SCHEDULE

ZONE NO.	CIRCUITS	SIZE CIRCUIT	SIZE TRUNK	M.B.H.	CAPACITY	RISERS *
1	2	1 1/4"	1 1/2"	9.8	18.8	30.0
2	2	1"	1 1/4"	10.6	18.9	
3	2	1 1/4"	1 1/2"	9.8	18.8	30.0
4	1	1 1/2"	1 1/2"	9.9	18.5	31.0
(FUTURE) 5	1	1 1/2"	1 1/2"	9.9	18.5	31.0
UNIT HTR.	1	1 1/2"				

* CAPACITIES BASED ON USING TACO "SUPER VENTURI" FLOW FITTINGS



MILLER HOME
LYNCHBURG, VIRGINIA

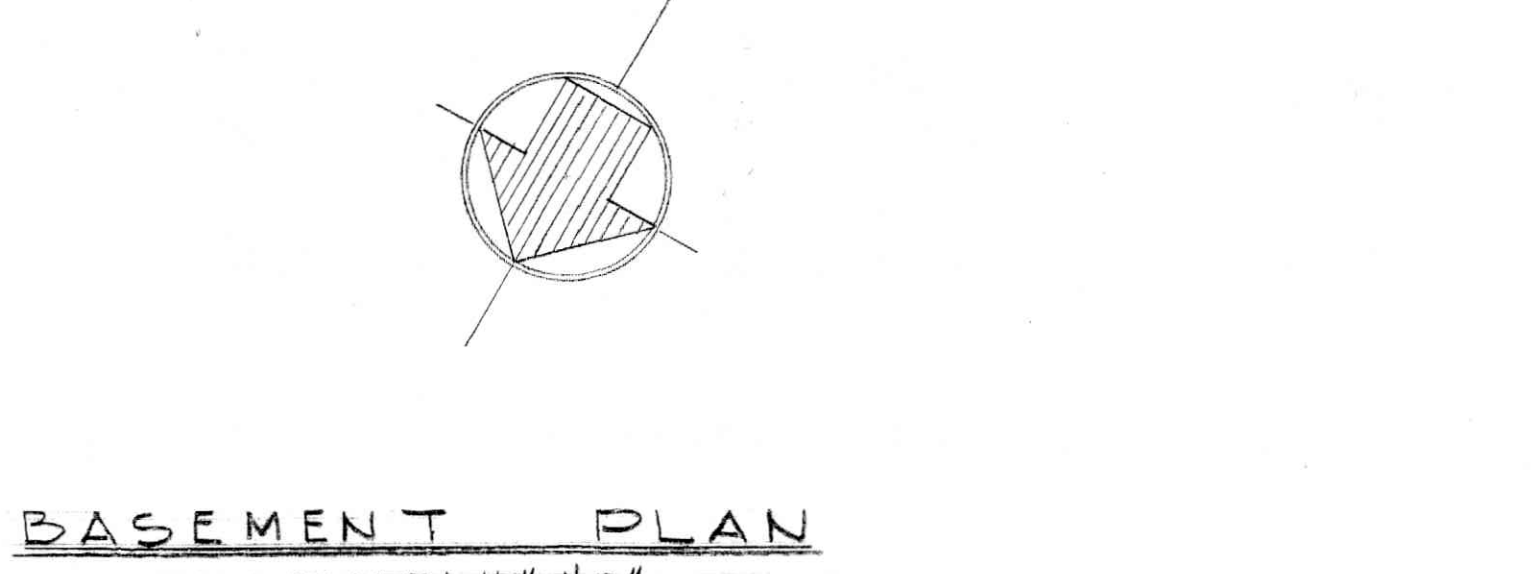
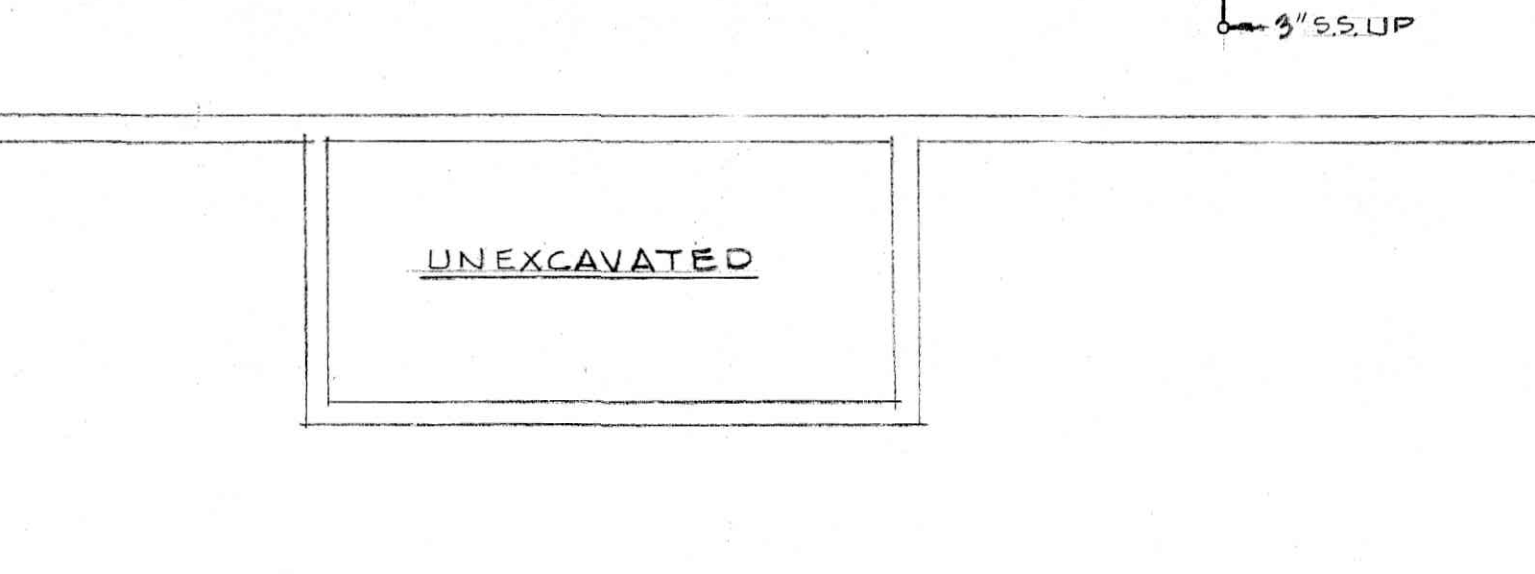
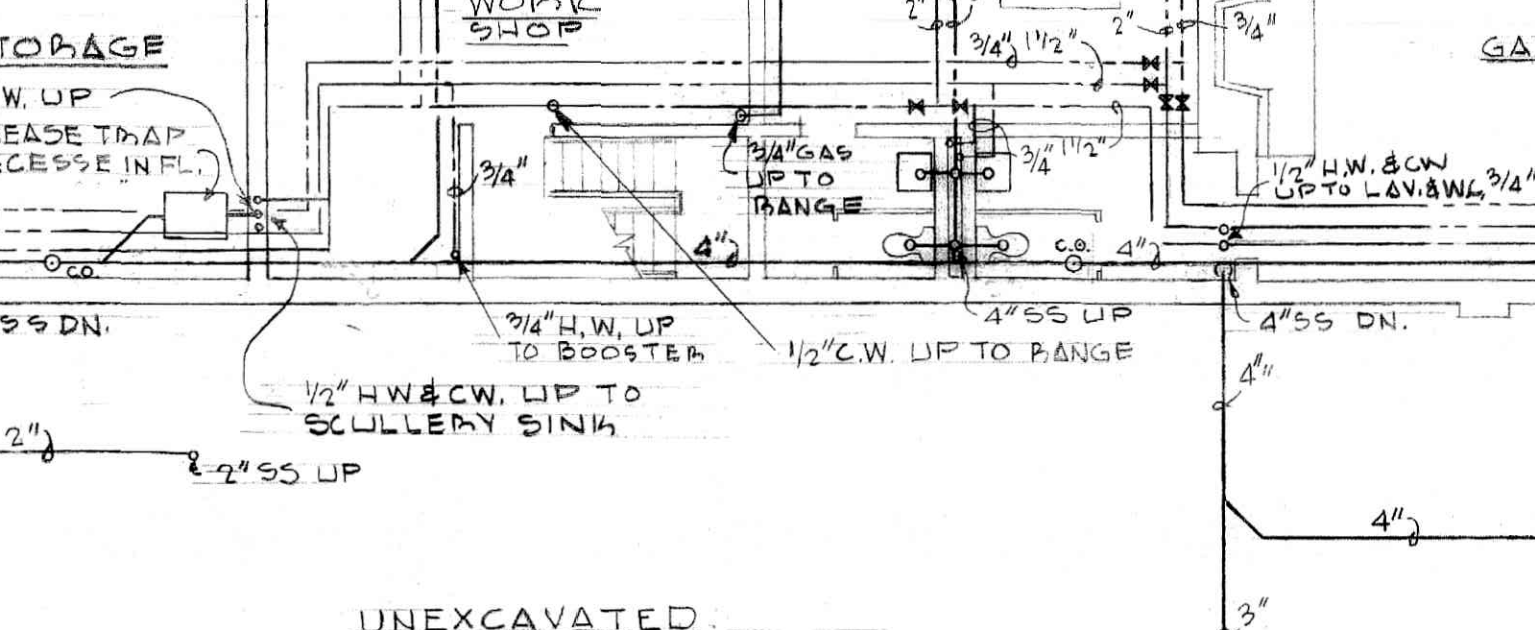
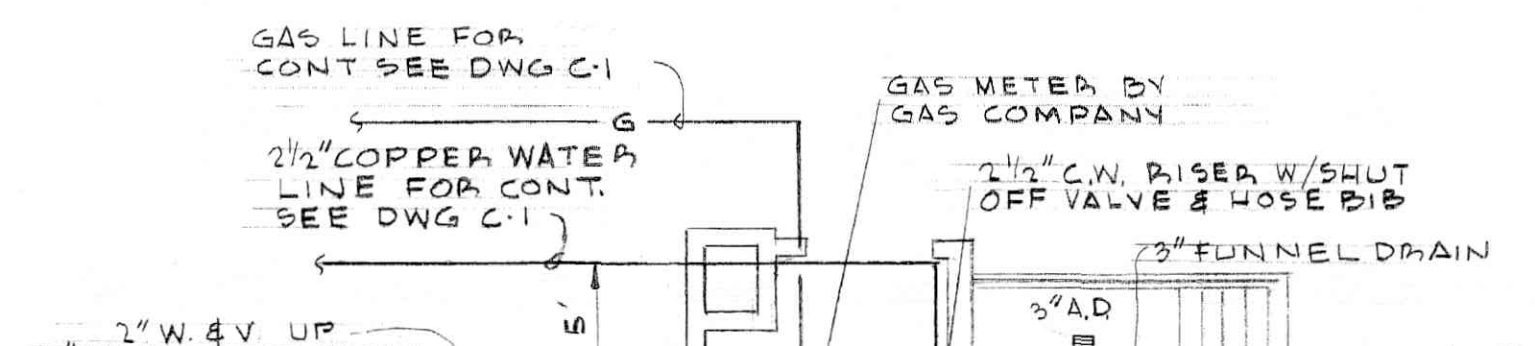
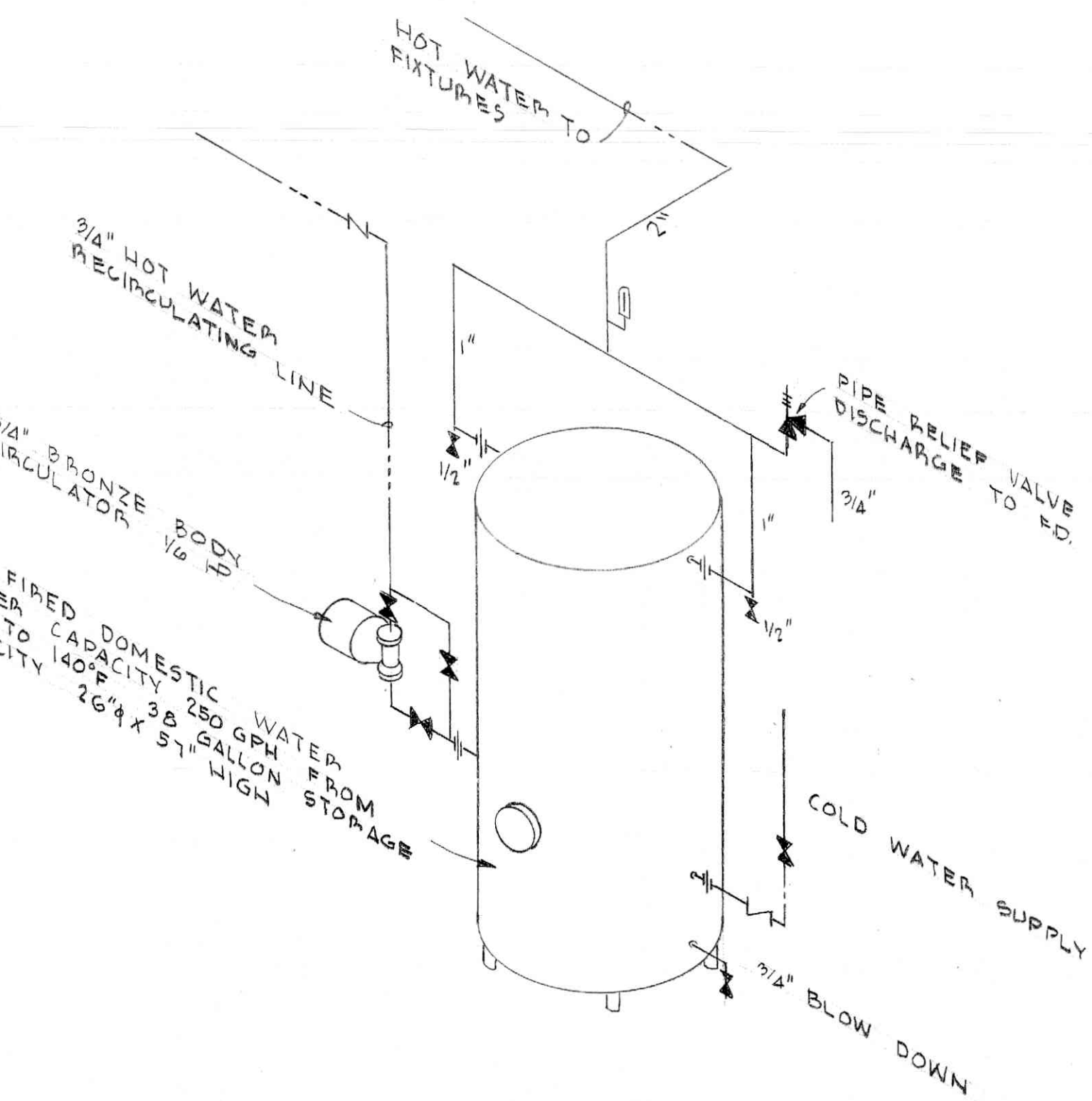
CLARK, NEXSEN & OWEN - ARCHITECTS
LYNCHBURG, VIRGINIA

REVISED	DATE	SCALE	DRAWN BY	CHECKED	DWG. NO.
	APR '58	AS SHOWN	S.C.O.	D.L.G.	M-2

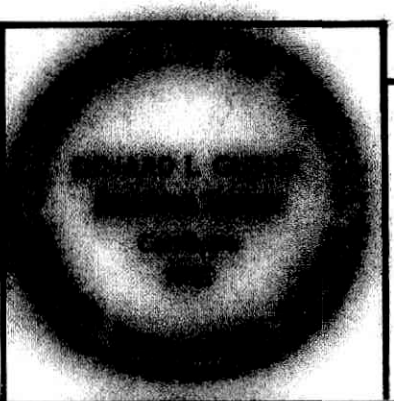
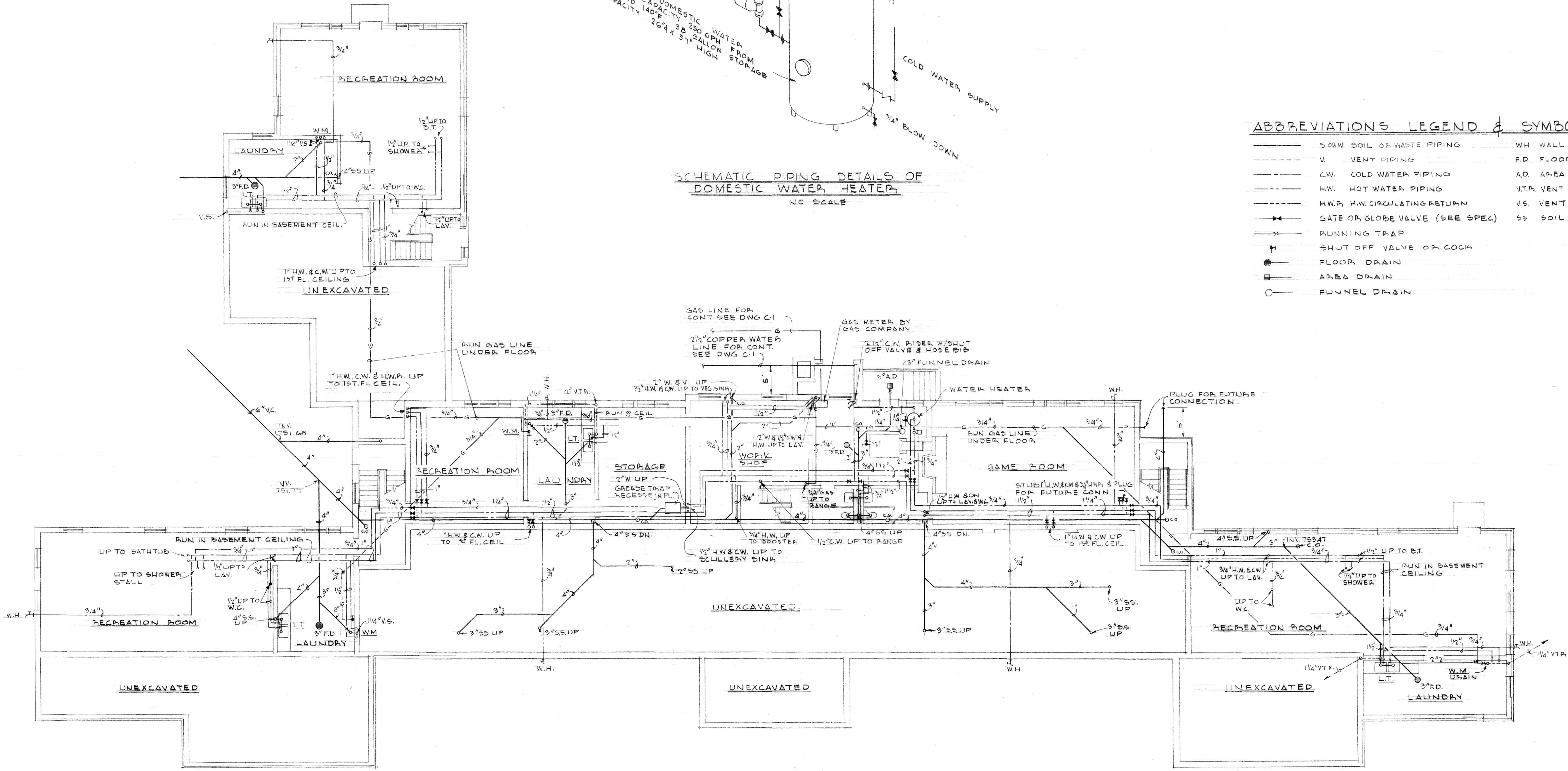
SCHEDULE OF PLUMBING FIXTURES					
MARK	ITEM	BRANCH CONNECTIONS		REMARKS	
		WASTE	HW	CW	
LAV.	LAVATORY	1 1/2"	1/2"	1/2"	
W.C.	WATER CLOSET	4"	1/2"	1/2"	FLUSH TANK
B.T.	BATH TUB	1 1/2"	1/2"	1/2"	
SH.	SHOWER	2"	1/2"	1/2"	
LT.	LAUNDRY TRAY	1 1/2"	1/2"	1/2"	
WM.	WASHING MACHINE	2"	1/2"	1/2"	STUBS 3/4" ABOVE FL.

ABBREVIATIONS LEGEND & SYMBOLS			
—	S.O.W. SOIL OR WASTE PIPING	—	W.H. WALL HYDRANT
---	V. VENT PIPING	---	F.D. FLOOR DRAIN
---	C.W. COLD WATER PIPING	---	A.D. AREA DRAIN
---	H.W. HOT WATER PIPING	---	V.T.R. VENT THRU ROOF
---	H.W.P. H.W. CIRCULATING RETURN	---	V.S. VENT STACK
+	GATE OR GLOBE VALVE (SEE SPEC)	SS	SOIL STACK
+	RUNNING TRAP		
+	SHUT OFF VALVE OR COCK		
+	FLOOR DRAIN		
+	AREA DRAIN		
+	FUNNEL DRAIN		

SCHMATIC PIPING DETAILS OF DOMESTIC WATER HEATER
NO SCALE



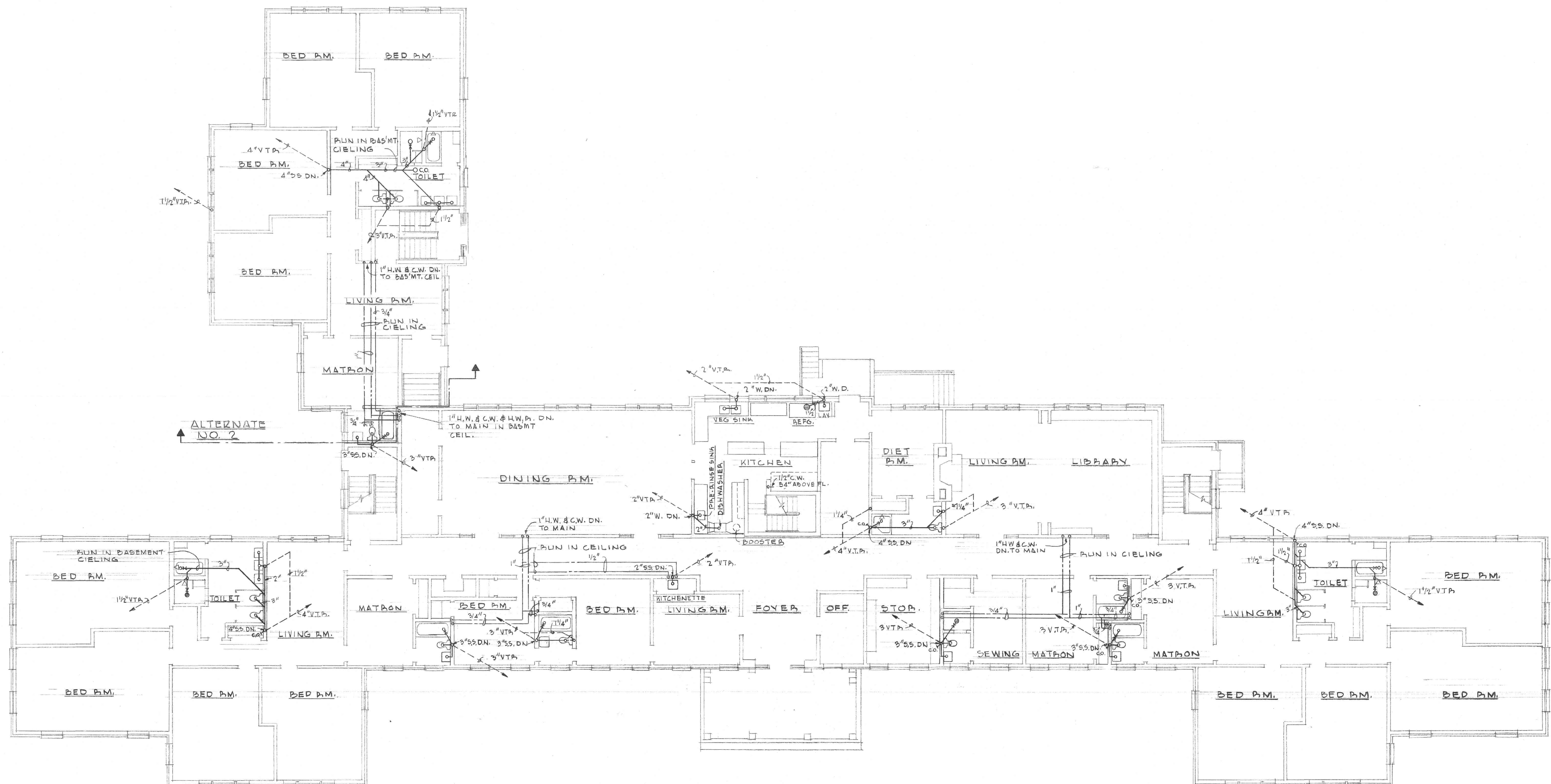
BASEMENT PLAN
SCALE: 1/8"=1'-0"



MILLER HOME
LYNCHBURG, VIRGINIA

CLARK, NEXSEN & OWEN - ARCHITECTS
LYNCHBURG, VIRGINIA

REVISED	DATE	SCALE	DRAWN BY	CHECKED	DWG. NO.
	APR '58	AS SHOWN	J.E.K.	D.L.G.	P-1

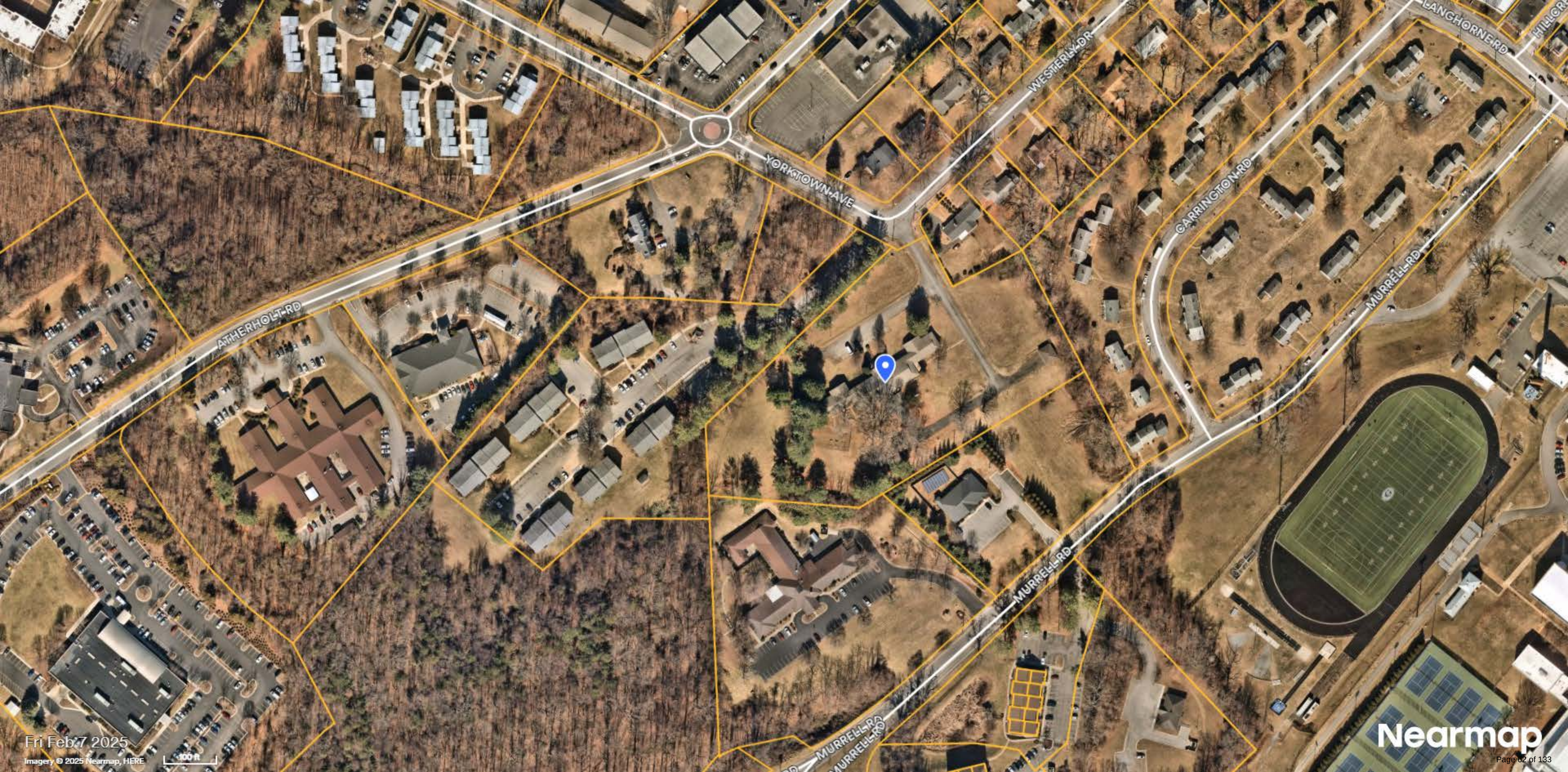


GROUND FLOOR PLAN
SCALE 1/8" = 1'-0"



MILLER HOME
LYNCHBURG, VIRGINIA

CLARK, NEXSEN & OWEN - ARCHITECTS LYNCHBURG, VIRGINIA				
REVISED	GROUND FLOOR PLAN			DWG. NO.
DATE	SCALE	DRAWN BY	CHECKED	P-2
APR '58	AS SHOWN	J.E.K.	D.L.G.	



Conditional Use Permit
2134 Westerly Drive
October 8, 2025

PLEASE PRINT CLEARLY

[illegible]

AGENDA ITEM SUMMARY**MEETING DATE**

October 28, 2025

PRESENTED BY

Rachel Frischeisen, City Planner

AGENDA ITEM # III.3

1701 and 1703 Wards Ferry Road - Rezoning - Apartments

RECOMMENDATION

This item will appear for City Council vote on the November 12, 2025, Public Hearing agenda. Approval of the petition to rezone 1701 and 1703 Wards Ferry Road from R-3, Medium Density Residential District to R-4C, High Density Residential District (Conditional) to allow for the construction of a ten (10) unit apartment development.

SUMMARY

MUT82, LLC is petitioning to rezone approximately ninety-eight hundredths (0.98) of an acre from R-3, Medium Density Residential District to R-4C, High Density Residential District (Conditional) to allow for the construction of a ten (10) unit apartment development at 1701 and 1703 Wards Ferry Road.

Multi-household structures (apartments) are a permitted use in the R-4, High Density Residential District. The proposed density for the development is below that which is recommended by the Medium Density Residential use in the *Comprehensive Plan 2013-2030* Future Land Use Map (FLUM). The voluntarily submitted proffers limit the development to no more than ten (10) apartments, which are to be constructed as townhouse-style units, per the proffered concept plan.

PRIOR ACTION(S)

October 8, 2025: The Planning Commission recommended approval (4-2, with 1 absent: Young-Jefferson) of the rezoning petition.

October 8, 2025: The Planning Division recommended approval of the rezoning 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: October 20, 2025



Kent White, Assistant City Manager

Date: October 22, 2025



Alicia Finney, Clerk of Council

Date: October 23, 2025

1701 & 1703 WARDS FERRY ROAD REZONING

Tuesday, October 28, 2025



PURPOSE & ACTION

Purpose:

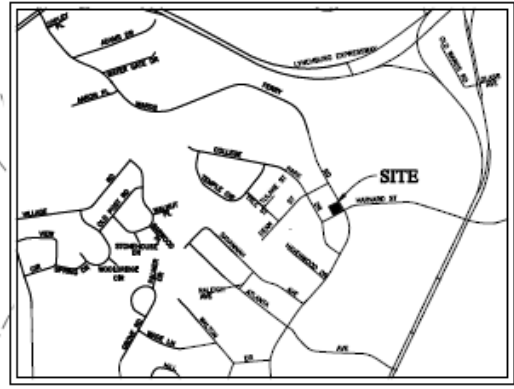
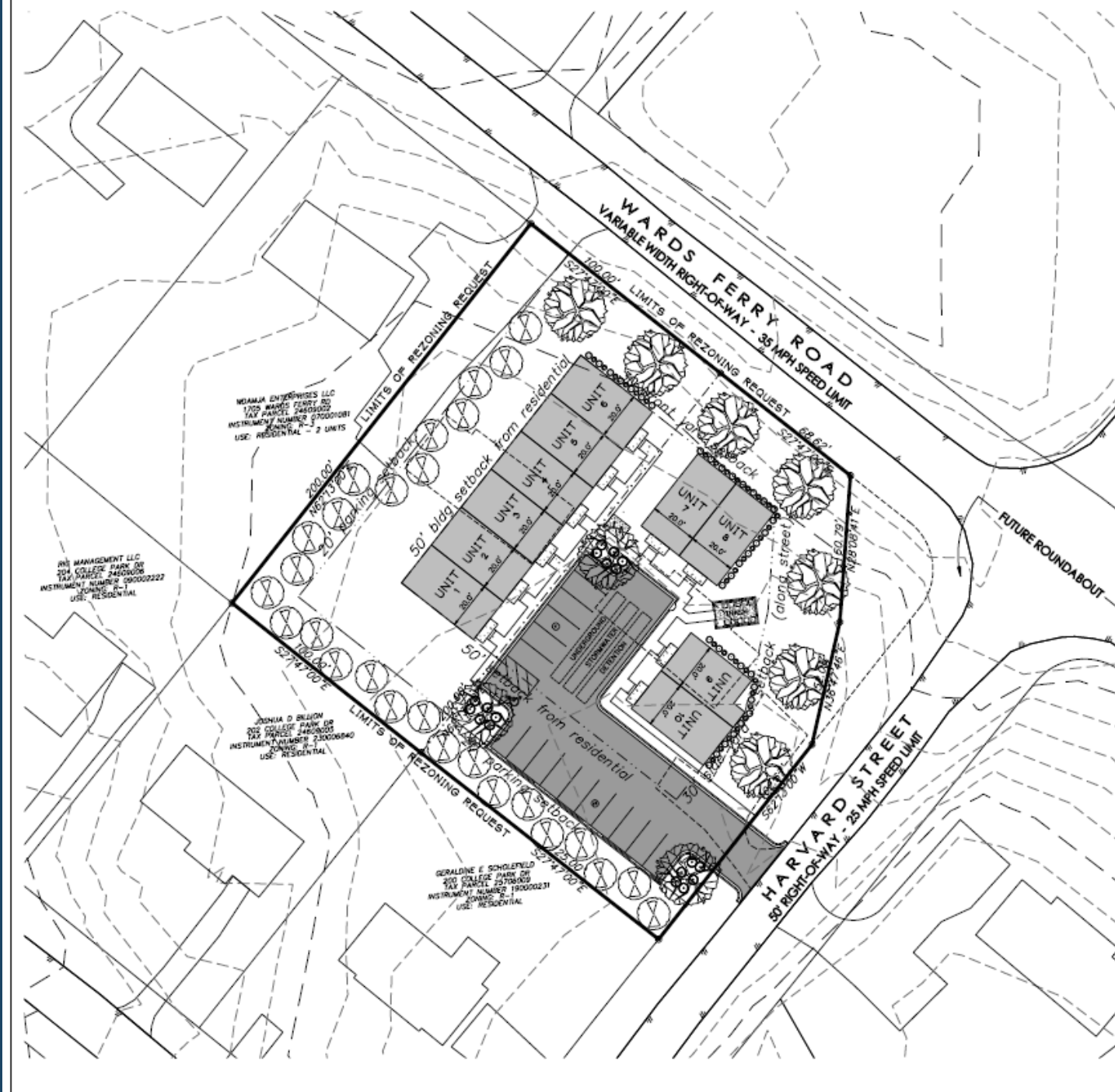
Petition of MUT82, LLC to rezone approximately ninety-eight hundredths (0.98) acres located at 1701 & 1703 Wards Ferry Road from R-3, Medium Density Residential District to R-4C, High Density Residential District (Conditional) to allow for the construction of a ten (10) unit townhouse-style multi-family rental development.

Recommendation:

The Planning Commission recommended approval (4-2, with 1 absent) of the rezoning petition.

Action:

A City Council public hearing will be held on November 12, 2025.



PROPERTY INFORMATION:

1701 WARDS FERRY ROAD:
OWNER: WTRB LLC
TAX PARCEL: 2480904
INSTRUMENT NUMBER: 230004237
ZONING: R-3
USE: RESIDENTIAL - 2 UNITS

1703 WARDS FERRY ROAD:
OWNER: WTRB LLC
TAX PARCEL: 2480903
INSTRUMENT NUMBER: 250003532
ZONING: R-3
USE: RESIDENTIAL - 2 UNITS

PROJECT NARRATIVE:

THE DEVELOPER IS PROPOSING TO BUILD 10 TOWNHOUSE UNITS AS A MULTI FAMILY RENTAL DEVELOPMENT.

THE PROPERTY IS CURRENTLY ZONED R-3 AND THE OWNER IS REQUESTING THAT THE PARCEL BE REZONED TO R-4.

BUILDING INFORMATION:

PROPOSED UNIT WIDTH: 20'
PROPOSED UNIT HEIGHT: 2 STORY
PROPOSED # OF BEDROOMS: 2

PARKING SUMMARY:

PARKING SPACES REQUIRED: ONE (1) PER DWELLING UNIT:
TOTAL NUMBER OF DWELLING UNITS: 10 UNITS
TOTAL SPACES REQUIRED: 10 SPACES
PARKING PROVIDED: 17 SPACES (INCLUDING 1 VAN ACCESSIBLE HANDICAP SPACE)

BIKE PARKING SUMMARY:

BIKE/PARKING CALCULATIONS:
RESIDENTIAL = 1 PER 6 DWELLING UNITS (MINIMUM OF 2)
TOTAL NUMBER OF UNITS = 10
BIKE PARKING SPACES REQUIRED FOR USE = 2 SPACES
SPACES PROVIDED = 2 SPACES

STORMWATER NARRATIVE:

COMPLIANCE METHOD QUANTITY CONTROL = UNDERGROUND STORMWATER DETENTION
COMPLIANCE METHOD QUALITY CONTROL = OFF-SITE NUTRIENT CREDITS

MINIMUM LOT STANDARDS:

MINIMUM LOT AREA: 8,000 SF
MINIMUM LOT WIDTH: 60 FT
FRONT SETBACK: 30 FT
EXTERIOR SIDE SETBACK: 30 FT
INTERIOR SIDE SETBACK: 5 FT
REAR SETBACK: 30 FT

DATE	BY	REVISION	NO.



30.000 1000
PO BOX 1000
LYNCHBURG, VA 24502
PHONE 434-440-9997
FAX 434-440-9998
WWW.WTRBENGINEERING.COM

1701 & 1703 Wards Ferry Road
Multi-family Development
SITE PLAN
LYNCHBURG, VIRGINIA

CONCEPT PLAN

DESIGNED BY: JLM
REVIEWED BY: JLM
PROJECT NO: 24038.00
SCALE: GRAPHIC

 DATE SUBMITTED: 9-29-25
 REV. SUBMITTED:

DRAWING NUMBER: C-1
SHEET NUMBER: 1 OF 1

Proposed Development

Harvard St.

Wards Ferry Rd.

CVCC Campus Dr.

COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY COLLEGES
ALSO KNOWN AS STATE BOARD
FOR COMMUNITY COLLEGES

SEE SHEET 40

STATION 2+00

BRICK FIRE PIT

PA

Proposed Development

Harvard St.

Wards Ferry Rd.

CVCC Campus Dr.

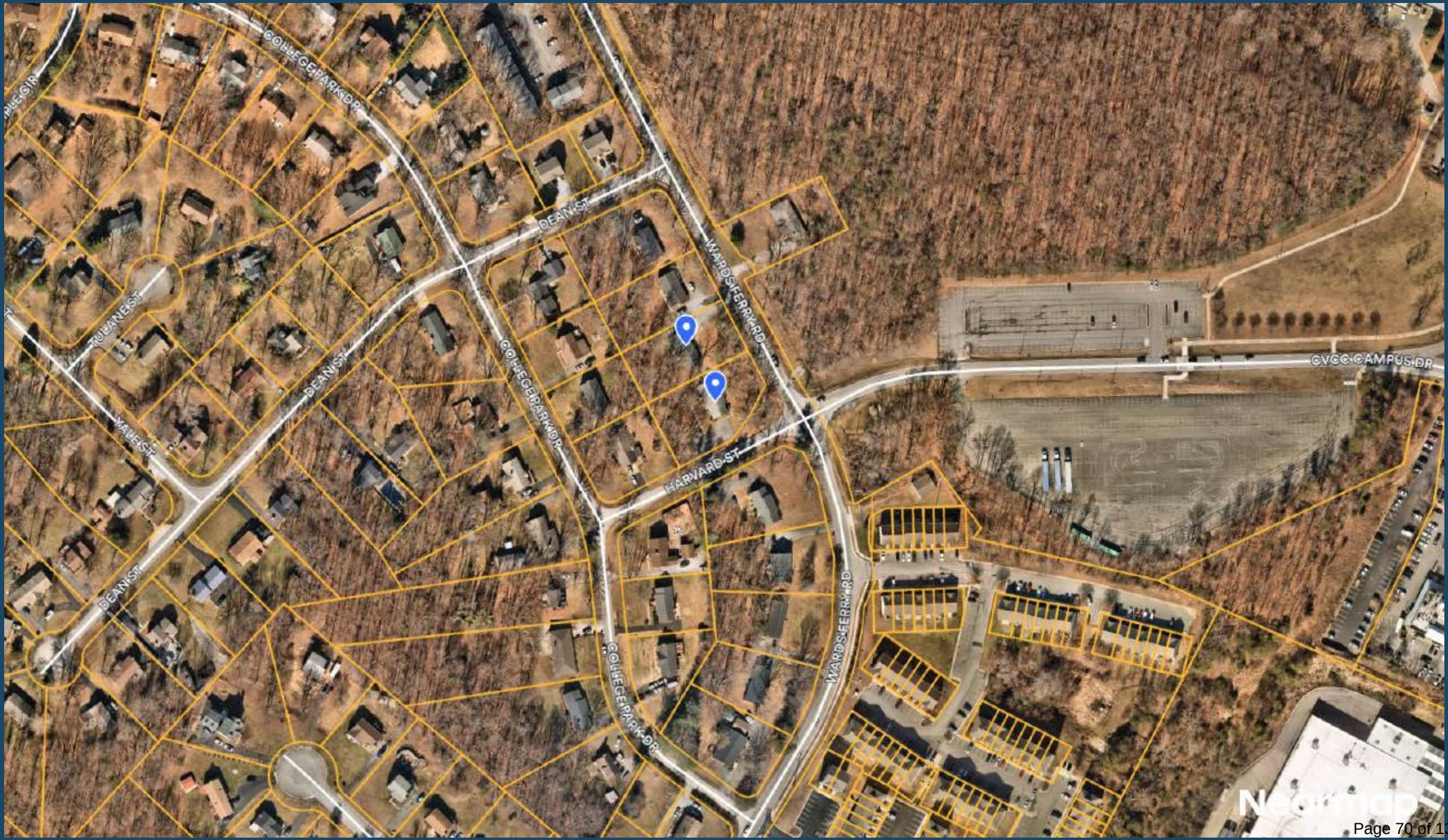
COMMONWEALTH OF VIRGINIA
DEPARTMENT OF COMMUNITY COLLEGES
ALSO KNOWN AS STATE BOARD
FOR COMMUNITY COLLEGES

SEE SHEET 40

STATION 2+00

BRICK FIRE PIT

PA



MINUTES OF THE OCTOBER 8, 2025 PLANNING COMMISSION MEETING (MINUTES HAVE NOT BEEN APPROVED):

Petition of MUT82, LLC to rezone approximately ninety-eight hundredths (0.98) of an acre located at 1701 & 1703 Wards Ferry Road from R-3, Medium Density Residential District to R-4, High Density Residential District to allow for the construction of a ten (10) unit townhouse-style multifamily rental development.

Ms. Rachel Frischeisen, City Planner, provided the following summary to the Commission. She gave a starting clarification that the actual acreage being rezoned is ninety-eight hundredths (0.98) of an acre, based on updated information from the petitioner. (The meeting agenda had the acreage listed as one and three hundredths (1.03) acres, based on the original materials submitted by the petitioner). The *Comprehensive Plan's* Future Land Use Map (FLUM) recommends a Medium Density Residential use for the properties. These areas is characterized by small-lot single family detached housing, duplexes, and townhouses at densities up to twelve (12) units per acre. Where neighborhoods already exist, infill development should be at a compatible density and housing type. The subject property was annexed into the City in 1976. The existing R-3, Medium Density Residential District zoning was established in 1978. The properties each currently contain a duplex, built in 1970, so there is currently a total of four (4) units located here. If the petition is approved, the existing residential structures would be demolished and the property would be developed as a ten (10) unit multifamily townhome-style rental development with associated parking. The properties are located at the corner of Harvard Street and Wards Ferry Road. The Virginia Department of Transportation (VDOT) is currently in the design phase for a roundabout at this intersection, so the concept plan has been shared with their team. Single family and duplex residential uses are adjoining the property, with the Central Virginia Community College campus located across Wards Ferry Road. In the vicinity, on the 1600 and 1700 blocks of Wards Ferry Road, there are existing townhouses and townhouse-style apartment developments. The proposed density for the ten (10) dwelling units, which is proffered, is below the density threshold as recommended by the Future Land Use Map, which is up to twelve (12) units per acre in the Medium Density Residential category. The Wards Ferry Road Corridor Study was adopted by City Council on January 14, 2014. The plan recommended revising study forecasts if land use development policies in the corridor area are modified to accommodate an increase in dwelling units, because an increase in density may generate traffic that would need a widened Wards Ferry Road to accommodate it. However, in this instance, the proposed density is similar to that which is already allowed by the current zoning. While rezoning the property from R-3 to R-4 would normally allow additional units by-right, the petitioner has voluntarily proffered that the maximum number of units would be ten (10); therefore, approval of the petition would not be in conflict with the study's recommendations. The Technical Review Committee (TRC) reviewed the petition on September 16, 2025. Comments were minor in nature. The Planning Division recommends approval of the petition.

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

Mr. Jamey White of White Engineering & Design, Inc., was present to represent the petition. There are currently duplexes, four (4) rental units, on these two properties. Their intention is to combine the lots, tear down the duplexes and build ten (10) rental units. These units will not be for sale. They have communicated with VDOT regarding the roundabout project. The roundabout will address the high traffic volume at that intersection and will negate the possible traffic flow these units will bring. They will continue to coordinate with VDOT as they enter the site plan phase. The properties are currently served by septic drain fields and they are working with the City to establish public sewer connections for the units and will make sure to address the minimal needed stormwater management code requirements. They will provide the necessary buffers between these properties and adjoining residential zones. These units will not change the look or feel of the neighborhood as there are already multifamily dwellings throughout.

Mr. Bo Walker of MUT82, LLC, said he grew up in the area and has been a part of the development of College Park. What has been proposed here is not stretching the limit of the area. These units will put residents within walking distance of Liberty University. There will be a crosswalk with the roundabout, enabling residents to walk to the Community College and providing access to bike paths. He feels that the

project would actually diminish the level of traffic in the area and they will be improving the curb appeal of the properties by making everything neat. This project will be a benefit to the area. Originally, they had considered putting a convenience store at this site, but found that these units were a better use of the land.

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

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

Mr. Tommy Meadows was present to represent the College Park Community. He said that the properties are a part of College Park, a neighborhood that was built in the 1970s. Most of the homes are zoned R-1, single family with a few duplexes zoned R-3 that look like single family homes. The character of the neighborhood is that of single family. They have several points of contention. The residents want their community back as College Park was meant to be a family-friendly, quiet neighborhood. There are rentals catering to college students and Airbnbs throughout the neighborhood. He said that the petition said they were putting in apartments and if approved they will lose their family-focused neighborhood. The property is very small and the buildings and parking lot will be a tight fit. Those living there would be pulling out right into the roundabout. The roundabout will also cut out a chunk of the property as well and bring its own issues with traffic. Wards Ferry Road is already dangerous and with College Park, safety is an issue when leaving the neighborhood. In March, City Council voted against a townhouse development along Wards Ferry Road, citing safety as the determining factor. These are multifamily apartments; if each unit has two (2) cars, then there will not be enough parking lots for those people. Also, there will be children who could run out directly into the roundabout.

Chair Rogers offered the petitioner a chance for a rebuttal.

Mr. White said that there will be a twenty-foot wide vegetation buffer between the subject property and the adjoining R-1 properties. They are called apartments because they are units for rent and will be designed and proffered to look like townhomes. The roundabout will bring greater traffic safety and that is why they are bringing this development forward now. Parking requirements for this development would be one per unit and they will have seventeen (17) which is a more than one per unit.

Ms. Ann Vandiver left a voicemail stating that she opposed this petition as there is already too much traffic there from other developments. She does not see how the proposed roundabout will help with the traffic congestion.

With there being no further members of the public who wished to speak on the petition, Chair Rogers closed the public hearing.

Commissioner Perault asked how many bedrooms there will be in each unit.

Mr. White replied that there would be two bedrooms per unit.

Commissioner Perault commented it will be college students renting and that means at least twenty (20) cars.

Chair Rogers agreed that could be an issue.

Commissioner Perault said he had been out to the area, and while they are meeting code, they need to also consider the availability of on street parking.

Chair Rogers asked if there were any "No Parking" signs along the side roads.

Mr. White commented that on-street parking is not permitted on any street which is not built to the minimum requirements for on-street parking. He continued that if people park on someone's property, then

they can get in touch with City to get request "No Parking" signs. This project is a different project and a different location from the previous Wards Ferry petition. It was a very different scenario from what they are proposing here.

Commissioner Cox asked why they were doing seventeen (17) instead of twenty (20) parking spots.

Mr. White replied it is a zoning requirement that they cannot have any parking within twenty (20) feet of other properties. It is a requirement to buffer parking from other residential areas.

Ms. Frischeisen clarified they do not have room for more parking spaces.

Commissioner Perault asked, since R-3 allows a density of 10.89 per acre, what could the petitioner build by-right to achieve that density?

Ms. Frischeisen replied, depending on the site and layout, the 10.89 units per acre can be limiting with the required frontage and setbacks. Not every site can get to that full 10.89, which could mean very narrow lots with shotgun-style houses, duplexes, or a combination of those things.

Mr. White said the Future Land Use Map (FLUM) calls for a higher density than what they are proposing. The planned VDOT traffic improvements makes this development a more feasible option for this property.

Chair Rogers asked if they would be under one owner.

Mr. White replied, yes there is one owner.

Chair Rogers asked Ms. Frischeisen who was in charge of reinforcement for how many unrelated people can live together.

Ms. Frischeisen replied it's the responsibility of the Zoning Division and the Zoning Administrator handles those concerns. Only three unrelated people are allowed per dwelling unit, though this does not apply to guests. It can be difficult to enforce; they need proof, such as pictures of license plates on different days. When staff receive complaints, they will pursue the matter and try to acquire the needed proof.

Chair Rogers asked if they will be renting by room, like college housing.

Mr. White responded, no that these were not bedroom rentals. They were complete two-story rental units.

Commissioner Cox asked if VDOT has completed their designs for the roundabout.

Mr. White replied they are still finalizing the design and should be finished later this year and out for bid in the spring.

Ms. Frischeisen added they plan to advertise bids in March, bid selection in June, with construction beginning late summer/early fall of next year. It is estimated to be a fifteen (15) month construction period.

Commissioner Cox asked if there is any risk that VDOT would change the design later on.

Mr. White replied no, VDOT has already acquired the right-of-way. The location of the roundabout is set they are just fine tuning the design now.

Commissioner Cox asked if there was any risk of them coming back and taking more from the property.

Mr. White replied no.

Commissioner Henderson asked if VDOT has already specified the safety standards for what can be built near the roundabout.

Ms. Frischeisen replied she was not able to speak to that question. VDOT was sent the concept plan and their only comments were that they would need to coordinate on drainage.

Mr. White commented that when they are doing the final designs for this development they will continue to coordinate with VDOT.

Commissioner Woodson asked when VDOT would be under construction with the roundabout.

Ms. Frischeisen replied they plan to start construction in the summer or fall of 2026.

Commissioner Cox asked when the petitioner planned to start construction.

Mr. White replied they would need to get through the public hearing process first. Plans for the site would not be submitted until the spring 2026 and construction probably will not happen until late 2026.

Commissioner Woodson commented that he has concerns with more rental units in in Ward 3 and that there is a safety concern as with the previous Wards Ferry petition.

Mr. White responded he understood there was a safety concern with that project, but this project is different. The roundabout here increases safety and address traffic backups. This development is only adding six (6) more units and will not have a heavy impact.

Commissioner Perault asked if they will be putting in public sewer.

Mr. White replied yes, they are required to put in public sewer.

Commissioner Cox asked about what the difference was between substantial compliance and compliance.

Ms. Frischeisen replied the word was typically included to give a bit of flexibility when projects come before the commission or council at this phase. They have not done some of the more advanced engineering. As projects progress from a one-page concept plan to a detailed site plan, the word substantial compliance is used as there may be conditions on the site that are not yet apparent. She did not see much changing here, given the limited amount of space they had to work with, but the term is used to give staff some flexibility when needed.

Commissioner Cox asked if the style of the structures could change.

Ms. Frischeisen replied no, they proffered the maximum number of units and substantial compliance with the concept plan, which states that they will be townhouse-style units.

Chair Rogers asked if parking spots were tied to the number of bedrooms.

Ms. Frischeisen replied it is based on the number of units.

Chair Rogers asked what would happen if they added more bedrooms.

Ms. Frischeisen replied they had not proffered the number of bedrooms. The approach for the parking standards in the City's Zoning Ordinance has been more market-driven, instead of requiring a certain number of parking spaces per bedroom or multiple spots per unit. The requirement is simply one parking space per dwelling unit and let the market determine what the need is. A developer can determine what the right

number of spaces is for their project, in order for it to be successful and attract tenants.

Mr. White commented that in neighboring counties they have a 1.5 parking spaces per unit requirement and they are still exceeding that requirement with this development. You do not want to have excess parking as can be seen in other locations.

Chair Rogers asked what a bike parking space was.

Mr. White replied it was just a u-shaped rack.

Commissioner Perault said everything that they are talking about is an improvement to the property. What is currently there is most likely not in compliance given the number of people living in them. This project will result in something much nicer. This development fits in the area.

Commissioner Gammon stated that Mr. Meadows raised a valid concern reclaiming neighborhoods. The northern part of the city has not had to deal with this issue. This issue has left the lower two thirds of the city to take the brunt of increased traffic, crime, and service problems. We continue to see this area encroached upon by elements the City cannot remove. Single family residences are the future of the city and these transient rentals are creating an urban jungle. Trying to reclaim a single-family neighborhood is an uphill battle as they are fighting against the City, past City Council, and a plethora of others. He does not support the development of rentals in the lower two-thirds of the city.

Commissioner Henderson made the following motion, seconded by Commissioner Cox. The motion to approve passed by the following vote:

"Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of MUT82, LLC to rezone approximately ninety-eight hundredths (0.98) acres from R-3, Medium Density Residential District to R-4C, High Density Residential District (Conditional) to allow for the construction of apartments at 1701 & 1703 Wards Ferry Road subject to the following voluntarily submitted proffers:

- 1. The maximum number of units shall be ten (10).**
- 2. The project shall be built in substantial compliance with the Concept Plan dated September 29, 2025."**

AYES: Cox, Henderson, Perault, Rogers

4

NOES: Gammon, Woodson

2

ABSTENTIONS:

0

ABSENT: Young-Jefferson

1

The Department of Community Development

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

To: Planning Commission
From: Planning Division
Date: October 8, 2025
Re: **REZONING: R-3, Medium Density Residential District to R-4C, High Density Residential District (Conditional) at 1701 & 1703 Wards Ferry Road.**

I. PETITIONER

Mr. George Walker, MUT82, LLC, 4216 Hilton Place, Lynchburg, Virginia 24503

Representative: Mr. Jamey L. White, White Engineering & Design, Inc., PO Box 1334, Forest, Virginia 24551

Property Owner: Same as Petitioner

II. LOCATION

The subject property contains approximately ninety-eight hundredths (0.98) of an acre located at 1701 and 1703 Wards Ferry Road.

III. PURPOSE

The purpose of the petition is to rezone approximately ninety-eight hundredths (0.98) of an acre from R-3, Medium Density Residential District to R-4C, High Density Residential District (Conditional) to allow for the construction of a ten (10) unit multi-family rental development at 1701 & 1703 Wards Ferry Road.

IV. SUMMARY

- Multi-household structures (apartments) are a permitted use in the R-4, High Density Residential District.
- The proposed density for the development is below that which is recommended by the Medium Density Residential use on the Future Land Use Map (FLUM).
- The voluntarily submitted proffers limit the development to no more than ten (10) apartments, which are to be constructed as townhouse-style units, per the proffered concept plan.

The Planning Division recommends approval of the Rezoning petition.

V. FINDINGS OF FACT

1. **Comprehensive Plan.** The *Comprehensive Plan 2013-2030 Future Land Use Map (FLUM)* recommends a Medium Density Residential use for the properties. Medium Density Residential areas 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 institution 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. (p.72)

The Wards Ferry Road Corridor Study was adopted by City Council on January 14, 2014. The plan recommended “revising study forecasts if land use development policies in the

corridor area are modified to accommodate and increase in dwelling units. It is likely that an increase in density will generate traffic volumes that would need a widened Wards Ferry Road to provide adequate service levels.” In this instance, the proposed density is similar to that which is already allowed by the current zoning, therefore, approval of the petition would not be in conflict with the plan’s recommendations.

2. **Zoning.** The subject property was annexed into the City in 1976. The existing R-3, Medium Density Residential District zoning was established in 1978.
3. **Proffers.** The petitioner voluntarily submitted the following proffers with the rezoning application:
 1. The maximum number of units shall be ten (10).
 2. The project shall be built in substantial compliance with the Concept Plan dated September 29, 2025.
4. **Board of Zoning Appeals (BZA).** The Zoning Administrator has determined that no variances are 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 May 22, 1979, City Council amended the Official Zoning Map of the City of Lynchburg to effect the rezoning of the Timberlake Road area.
 - On February 10, 1981, City Council approved the petition of Mr. Granville Graham to rezone approximately one and nine hundred fifty-seven thousandths (1.957) acres located at the north-west corner of Harvard Street and U.S. 29 South (Wards Road) in front of the Community College from B-3, Community Business, to B-5 (Conditional), General Business, to allow the construction of a warehouse with no outside storage.
 - On April 8, 1986, City Council approved the petition of George C. and William M. Walker to rezone approximately one and sixty-seven hundredths (1.67) acres located at 1711 Wards Ferry Road from R-3, Two-Family Residential District to R-4 (Conditional), Multi-Family Residential District, to allow the construction of twelve (12) additional rental apartment units and a parking lot.
 - On June 14, 1988, City Council approved the petition of Barry E. Dotson & Associates to rezone approximately thirty-one (31) acres in the 3900 Block of Wards Road from I-2 Light Industrial District, to R-3 (Conditional), Community Business District, and for a Conditional Use Permit in the Floodway Fringe District, to allow construction of a shopping center and parking lot.
 - On January 14, 1992, City Council approved the petition of Central Virginia Development Company to rezone twenty-seven and one-half (27 1/2) acres off Wards Ferry Road from R-1, Low Density, Single-Family Residential District, to R-3 (Conditional), Medium Density, Two-Family Residential District, and a certain area from R-1, Low-Density Residential District, to R-2 (Conditional) District. to allow residential development.
 - On August 11, 1998, City Council approved the petition of Marshall Lodge #39 A.F. & A.M. for a Conditional Use Permit for the use of the property at 1730 Wards Ferry Road to construct a new Masonic Lodge.
 - On July 13, 1999, City Council approved the petition of Hurt & Proffitt, Inc. to rezone eleven (11) acres on Wards Road at Harvard Street from 1-2, Light Industrial District and R-

C, Resource Conservation, to B-3C Community Business District (Conditional) to allow retail uses; and to obtain a Conditional Use Permit for fill in a flood plain.

- On September 12, 2006, City Council approved the petition of Bragg Builders, Inc. to rezone approximately seven and ninety-one hundredths (7.91) acres at 1401 and 1608 Wards Ferry Road from I-2, Light Industrial District to R-4C Medium-High Density Multi-Family District, (Conditional) to allow the construction of one-hundred and three (103) townhouse units (for sale), with associated parking and recreational areas.
- On May 9, 2017, City Council approved the petition of Jamestown Development Group to amend the Future Land Use Map (FLUM) from Medium Density Residential to High Density Residential and to rezone approximately seven and ninety-four hundredths (7.94) acres at 1806, 1816, 1836, 1840 & 1842 Wards Ferry Road from R-3, Medium Density Residential to R-4C, High Density Residential (Conditional) to allow the construction of a seventy (70) unit apartment complex.

6. **Site Description.** The subject property located at 1701 Wards Ferry Road contains approximately fifty-two hundredths (0.52) of an acre. The property contains a one-story, wood frame, brick veneer duplex constructed in 1970. The structure is approximately one thousand seven hundred twenty-two (1,722) square feet in size and is proposed to be demolished as part of this project.

The adjoining subject property located at 1703 Wards Ferry Road contains approximately forty-six hundredths (0.46) of an acre. The property contains a one-story, wood frame, brick veneer duplex constructed in 1970. The structure is approximately one thousand eight hundred twenty-two (1,822) square feet in size and is proposed to be demolished as part of this project.

The property is bound to the north by residential duplex uses, to the east by the Central Virginia Community College Campus, and to the south and west by single-family and duplex uses.

7. **Proposed Use of Property.** If the petition is approved, the existing residential structures would be demolished and the property would be developed as a ten (10) unit multi-family townhome-style rental development with associated parking.
8. **Traffic, Parking and Public Transit.** The petitioner was not required to conduct a traffic analysis as part of the petition. The City Planner shared the concept plan with VDOT for approval to ensure coordination with the roundabout project at the intersection of Wards Ferry Road and Harvard Street. The VDOT representative noted the need to coordinate on site design if the project is approved.

The concept plan includes a total of seventeen (17) parking spaces, and pedestrian facilities within the development, and access from Harvard Street/CVCC Campus Drive. The number of parking spaces proposed is above the *Zoning Ordinance* requirement of one (1) space per unit.

The property is located within the Greater Lynchburg Transit Company (GLTC) Flex area, which is an on-demand transportation service that provides point-to-point trips. The area is served by Greater Lynchburg Transit Company (GLTC). The nearest bus stop for fixed route 4 is located at Central Virginia Community College, approximately one-half (0.5) of a mile away.

9. **Stormwater Management.** A stormwater management / Erosion & Sediment Control Plan will be required prior to site plan approval. The submitted concept plan indicates the use of underground stormwater detention and offsite nutrient credits to meet stormwater quantity and quality standards.

10. **Emergency Services:** The City’s Fire Marshal and Police Department had no comments of concern regarding the proposal.
11. **Impact.** The proposed development should have limited impact on the surrounding area and would fit well within the existing Wards Road corridor. Substantial compliance with the plan has been proffered. The existing duplexes are proposed to be demolished and ten (10) multi-family residential units are proposed to be constructed. These units are proposed to be two-story, two-bedroom, townhome-style units.

Adjoining the subject property are residential uses on three sides, with the Central Virginia Community College Campus located across Wards Ferry Road. In the vicinity of the subject property, on the 1600 and 1700 blocks of Wards Ferry Road, there are existing townhouses and townhouse-style apartment developments.

As shown, the concept plan includes the required twenty (20) foot vegetative buffer adjoining the R-1, Low Density Residential District to the west, and the R-2, Medium Density Residential District to the north. The concept plan also includes the fifty (50) foot setback as required by the Zoning Ordinance. The proposed density for the ten (10) dwelling units located on the subject property would be 10.2 units per acre. This density is below the density threshold as recommended by the Future Land Use Map (FLUM), which is up to twelve (12) units per acre in the Medium Density Residential category.

The Wards Ferry Road Corridor Study was adopted by City Council on January 14, 2014. The plan recommended “revising study forecasts if land use development policies in the corridor area are modified to accommodate and increase in dwelling units. It is likely that an increase in density will generate traffic volumes that would need a widened Wards Ferry Road to provide adequate service levels.” In this instance, the proposed density is similar to that which is already allowed by the current zoning (which is 10.89 dwelling units per acre in the R-3, Medium Density Residential District), therefore, approval of the petition would not be in conflict with the plan’s recommendations.

12. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the petition on September 16, 2025.

VI. PLANNING DIVISION RECOMMENDATION

Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of the petition of MUT82, LLC to rezone approximately ninety-eight hundredths (0.98) acres from R-3, Medium Density Residential District to R-4C, High Density Residential District (Conditional) to allow for the construction of apartments at 1701 & 1703 Wards Ferry Road subject to the following voluntarily submitted proffers:

1. **The maximum number of units shall be ten (10).**
2. **The project shall be built in substantial compliance with the Concept Plan dated September 29, 2025.**

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
George Walker, MUT82 LLC, Petitioner & Property Owner
Jamey L White, White Engineering & Design, Inc., 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**

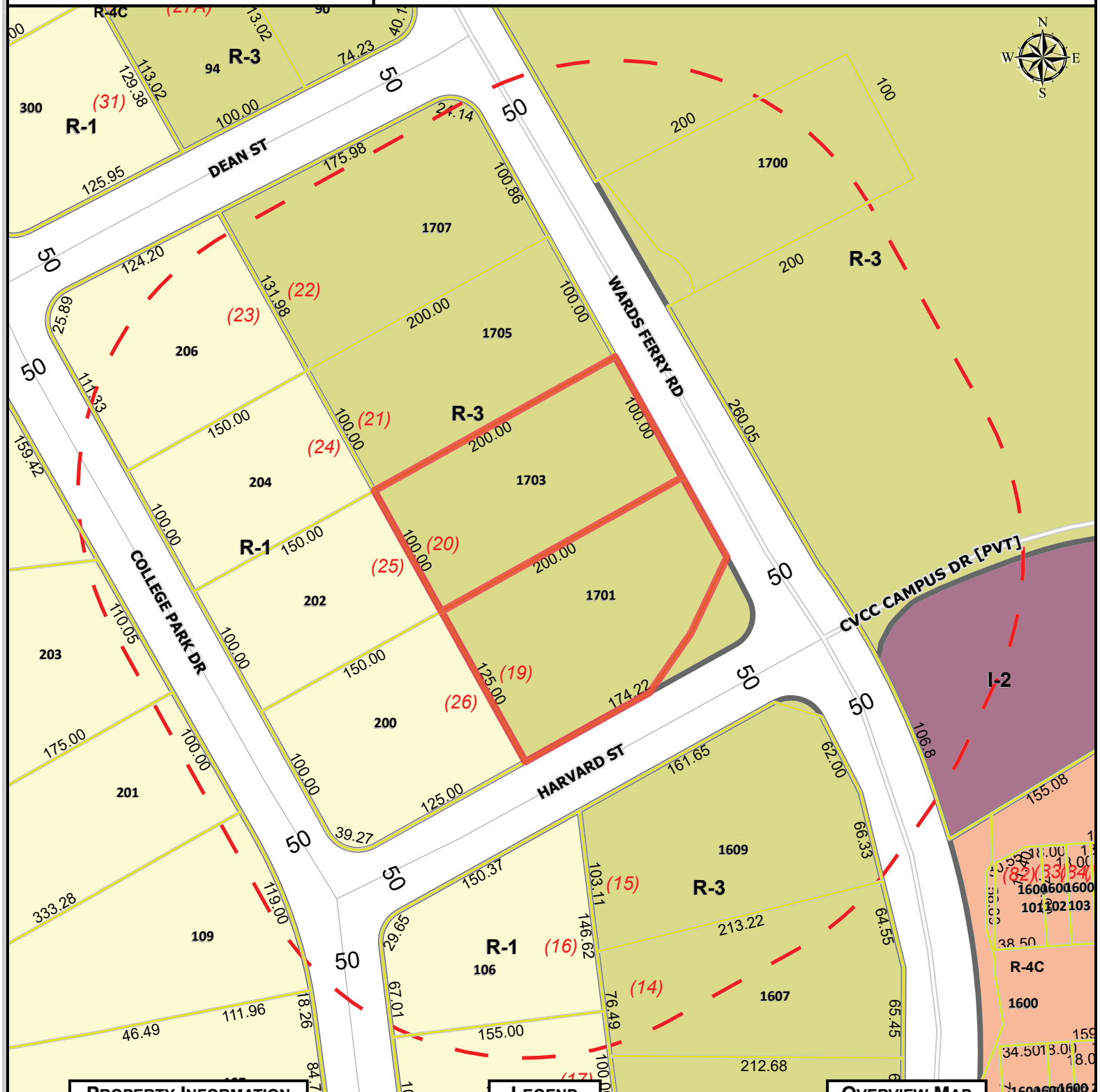
Zoning

1701 WARDS FERRY RD

1703 WARDS FERRY RD

TRC

MUT82 LLC



PROPERTY INFORMATION

PARCEL ID

ADDRESS

24609004 1701 WARDS FERRY RD 24609003

LEGEND

Subject Property

215 Foot Buffer

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

MAP SCALE: 1:1,166 DATE PRINTED: 9/3/2025

OVERVIEW MAP



1701 & 1703 Wards Ferry Road

Parcel ID	Address	Owner
24608013	1700 WARDS FERRY RD	THOMAS, MONICA T
24606003	3506 WARDS RD	CENTRAL VA COMMUNITY COLLEGE C/O VCCS
25706007	104 COLLEGE PARK DR	BOLLMER, HENRY D
25706002	1607 WARDS FERRY RD	JONES, KEVIN L & LAURA M
25707007	109 COLLEGE PARK DR	VANDIVER, W SCOTT & BARBARA ANN
25706008	106 COLLEGE PARK DR	MORRIS, MICHAEL A & BELINDA M
25706001	1609 WARDS FERRY RD	SNELL, JAMIE & KIM
25707008	201 COLLEGE PARK DR	CAMPBELL, CLIFTON J & KAREN L
25706009	200 COLLEGE PARK DR	SCHOLEFIELD, GERALDINE E
24609009	203 COLLEGE PARK DR	DALTON, SHEILA D
24609005	202 COLLEGE PARK DR	BILLION, JOSHUA D
24609004	1701 WARDS FERRY RD	MUT82 LLC
24609006	204 COLLEGE PARK DR	RIG MANAGEMENT LLC
24609003	1703 WARDS FERRY RD	MUT82 LLC
24609008	205 COLLEGE PARK DR	TRYALL, SUSAN B
24609002	1705 WARDS FERRY RD	WDAMJA ENTERPRISES LLC
24609007	206 COLLEGE PARK DR	HIXSON, RANDALL E & SHARON M (TRS)
24609001	1707 WARDS FERRY RD	WDAMJA ENTERPRISES LLC
	4219 CAMPBELL AVE	VDOT LYNCHBURG DISTRICT OFFICE

Watershed

1701 WARDS FERRY RD

1703 WARDS FERRY RD

TRC

MUT82 LLC



PROPERTY INFORMATION

PARCEL ID

ADDRESS

24609004 1701 WARDS FERRY RD 24609003

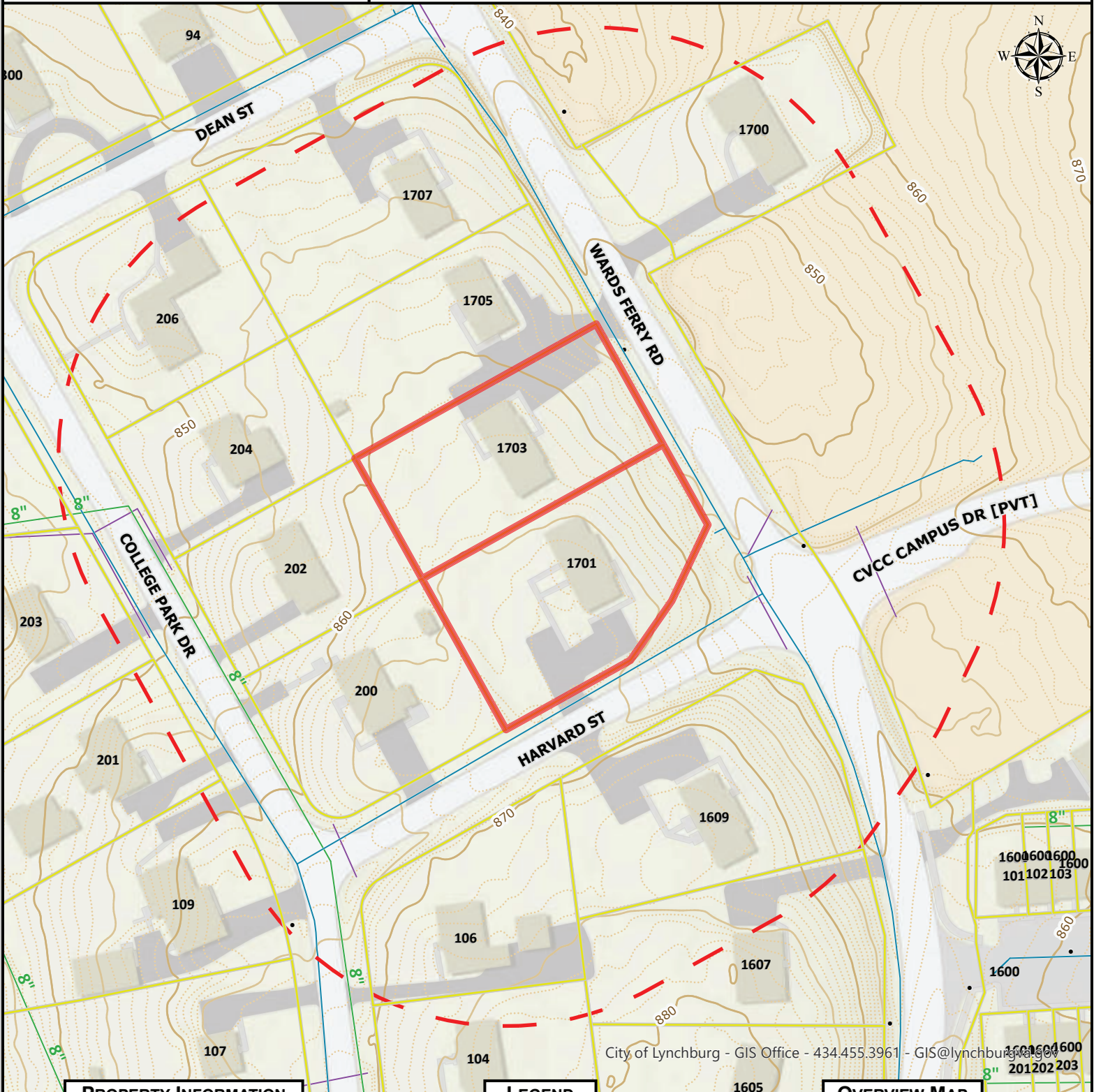
LEGEND

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

MAP SCALE: 1:1,166 DATE PRINTED: 10/8/2025

OVERVIEW MAP





PROPERTY INFORMATION

PARCEL ID

ADDRESS

24609004 1701 WARDS FERRY RD 24609003

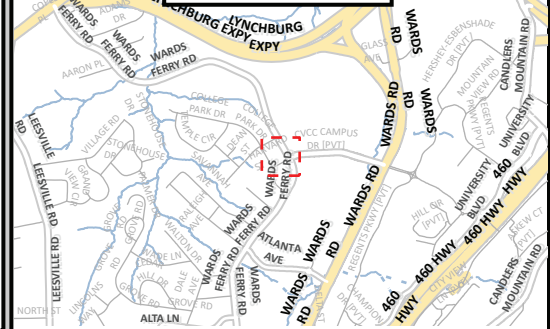
LEGEND

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

MAP SCALE: 1:1,166

DATE PRINTED: 9/3/2025

OVERVIEW MAP





Rezoning – 1701 & 1073 Wards Ferry Road

Project Narrative

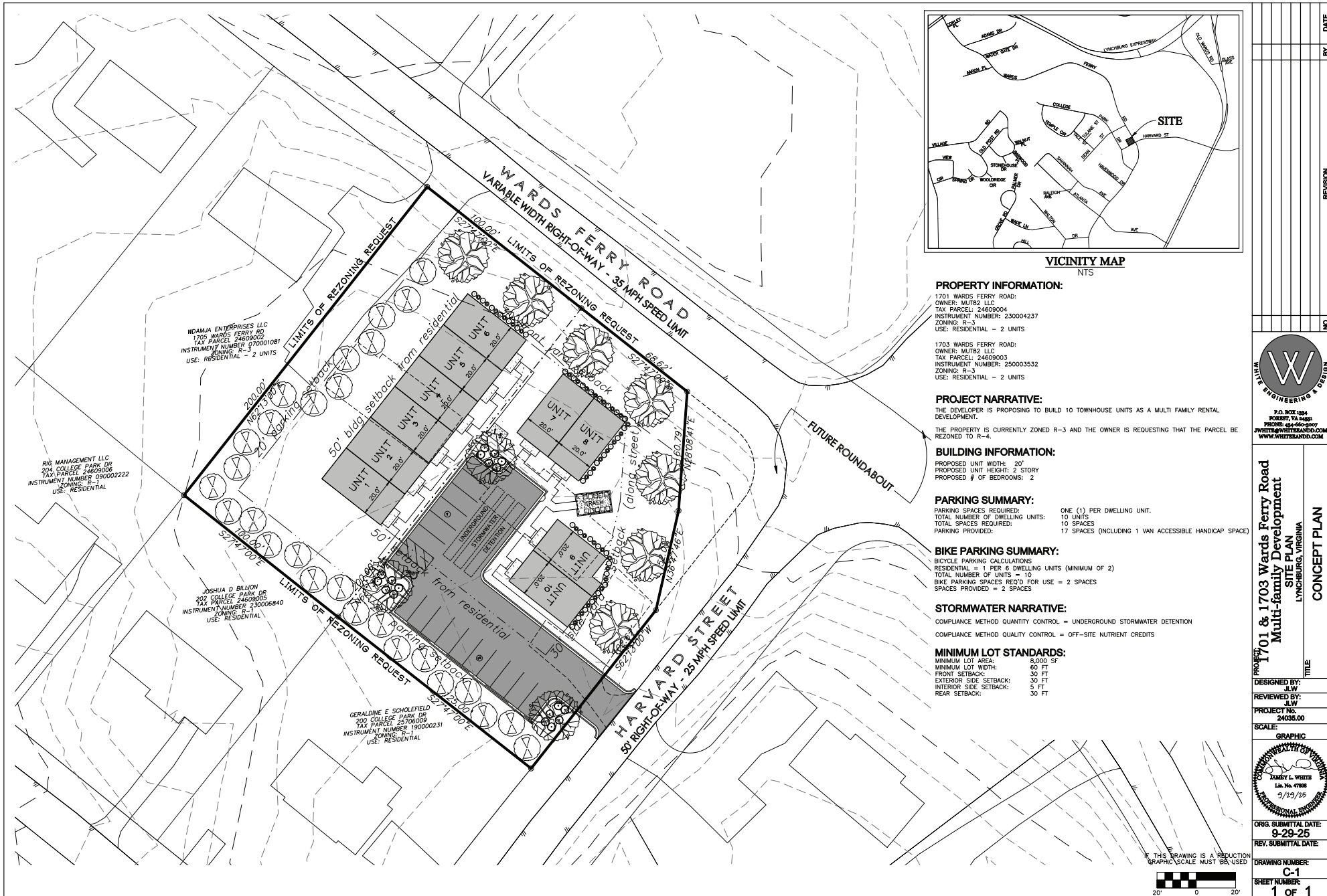
Parcel Address: 1701 and 1703 Wards Ferry Road

Parcel IDs: 24609004 & 24609003

Current Zoning: R-3

Proposed Zoning: R-4C

MUT82, LLC is requesting rezoning 2 individual lots at 1701 and 1703 Wards Ferry Road from R-3 to R-4C. The existing homes at these two addresses are currently used as duplex rental units. The property owner would like to remove the existing buildings and construct 10 residential dwelling units (townhouse style) for rent.





**Rezoning
1701 & 1703 Wards Ferry Road
October 8, 2025**

PLEASE PRINT CLEARLY

[illegible]

WHAT TO DO? WHAT TO DO?

Virginia Conflict of Interests Act

Sharon E. Pandak

Pandak, PLLC

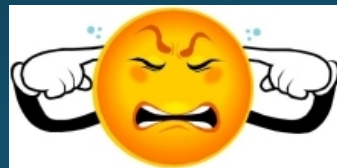
Lynchburg City Council – October 28, 2025 ^{rev'd}

- Disclaimer: These slides attempt to highlight key provisions of COIA, which is quite complicated. Excellent resources for interpretation of COIA are the Conflict of Interest & Advisory Council and staff. This presentation represents only Ms. Pandak's personal opinions.

- You are required to read COIA upon assuming office



- Don't understand or want to ignore the implications of the COIA?



- Let's play – Guess which door?



No old doors...



Pick one of these “Special COIA Event” Doors





The Category is: "I am too busy":

- [You] File the annual economic interests form late (after February 1)
- [You] Ignore COIA because you are not elected but are a member of the EDA or certain other authorities; citizen member of Boards/Commissions set by ordinance/resolution (ex. PC, BZA); "Person Occupying Position of Trust" designated by ordinance or School Board policy – ex. Chief Administrative Officer; Local Govt Attorney.
- [You] Fail to provide the Clerk with a written disclosure of a conflict or disqualification and do not announce it.



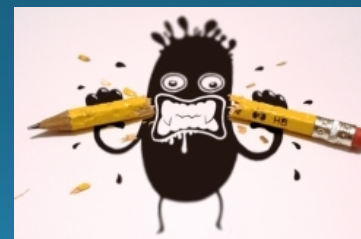
Pick Door C?



Other “I am too busy” events:



- ☐ Fail to provide legal counsel all of the relevant facts when asking about a possible conflict
- ☐ Fail to advise legal counsel of conflict questions until just before a vote - ask in the midst of a meeting
- ☐ Continue discussing a matter in which you have disqualified yourself
- ☐ Fail to identify “personal interests” of persons in your household as part of your “personal interest”
- ☐ Fail to follow the requirements for reporting if you accept tickets to a _____



But before you open the door, consider:

“Personal Interest” =

- > \$5,000 in income, compensation, fringe or other benefits annually;
- Ownership of real or personal property if the interest is $\geq$ \$5,000, exclusive of other ownership in a business, income or benefits from the property;
- Personal liability on behalf of a business $\geq$ 3% of the business' asset value; or
- An option for ownership of a business or real or personal property if the interest is $\geq$ 3% or $>$ \$5,000 in a contract or transaction.

Additional Examples:

- Debts to creditors of > \$5000.
- Interests in rental property of > \$5000.
- Payments for representation by you or your associates of > \$5000
- Payments for services from businesses which operate in Virginia of > \$5000





You pay -



- \$250 fine for late filing
- potential fine for violation of disclosure provision



and

- You lose credibility for your tardiness
- May require a new vote



The Category is “I am Gifted”:

- ☐ Constituents want to acknowledge my help with presents
- ☐ I am invited to so many dinners, I must enjoy their offers of tickets
- ☐ I am asked to find jobs or provide “inside” information for supporters
- ☐ People acknowledge the burden of service on my family by helping them out



Pick Door C (yes, again)



- Is it a Gift?
- Is it prohibited?
- Reporting requirements for certain gifts
- Thresholds

Gift Issues !!!!!

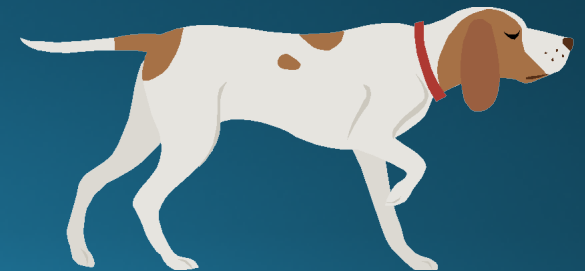




GIFTS for which you neither paid nor rendered services in exchange:



- Gift or entertainment of more than \$20 in value*
- [Gifts of >\$108 each or in aggregate from any lobbyist or who is seeking to contract w/ your county are PROHIBITED. (Gifts <\$20 not subject to aggregation here)*



Additional Examples:



- COMBINED PAYMENT for each
Talk,
Meeting,
.... of more than \$108



The “Widely Attended Event” EXCEPTION (§2-23103.1)



“an event at which at least 25 persons have been invited to attend or there is a reasonable expectation that at least 25 persons will attend the event and the event is open to individuals (i) who are members of a public, civic, charitable, or professional organization, (ii) who are from a particular industry or profession, or (iii) who represent persons interested in a particular issue.”

You can accept or receive a gift of food and beverages, entertainment, or the cost of admission >\$108 while in attendance but must report on disclosure form.

The “APPROVED IN ADVANCE” EXCEPTION (§2-23103.1)



MUST make a request of COIA
Council staff and **MUST** receive
Approval

P.S. make it timely



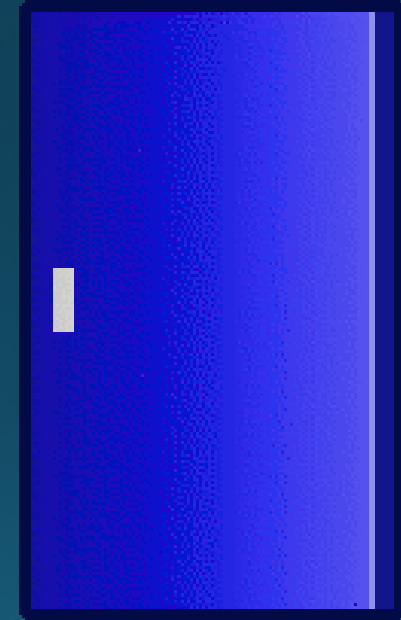


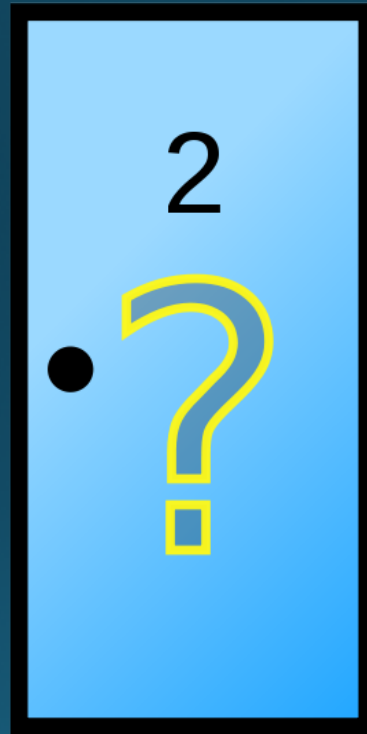
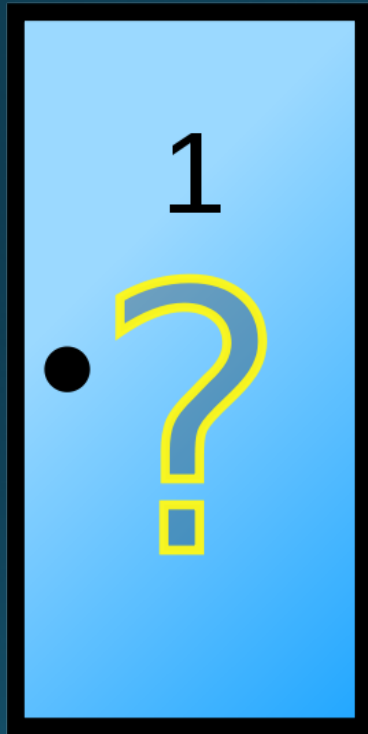
You may pay fines and a civil penalty
based on the value of the gift



and
You lose credibility

You claim COIA does not understand the demands on local politicians





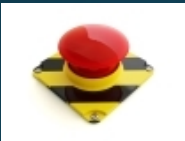
What about campaign contributions?

Not a “gift” under COIA. A separate statute controls. Look to the

Campaign Finance Disclosure Act

VA Code §§ 24.2-945 *et seq.*

Seek guidance from the State Board of Elections through the Department of Elections



BUT beware “helpful assistance” or “other gifts” which are “not” campaign contributions – they may be reportable or otherwise regulated by COIA as “gifts”.

The Category is: “I know what I am doing”



Pick Door B



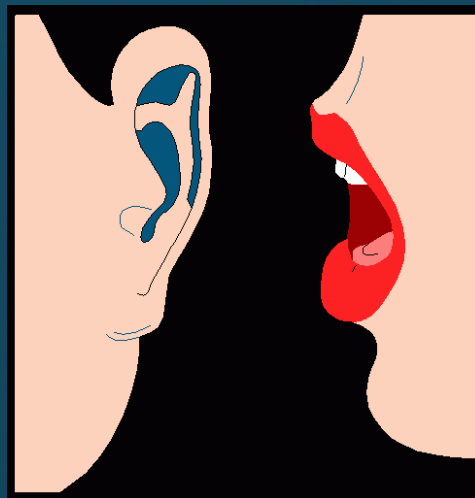
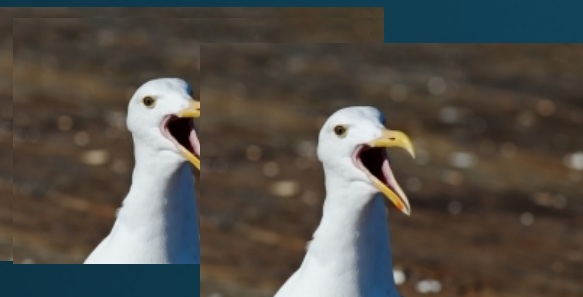
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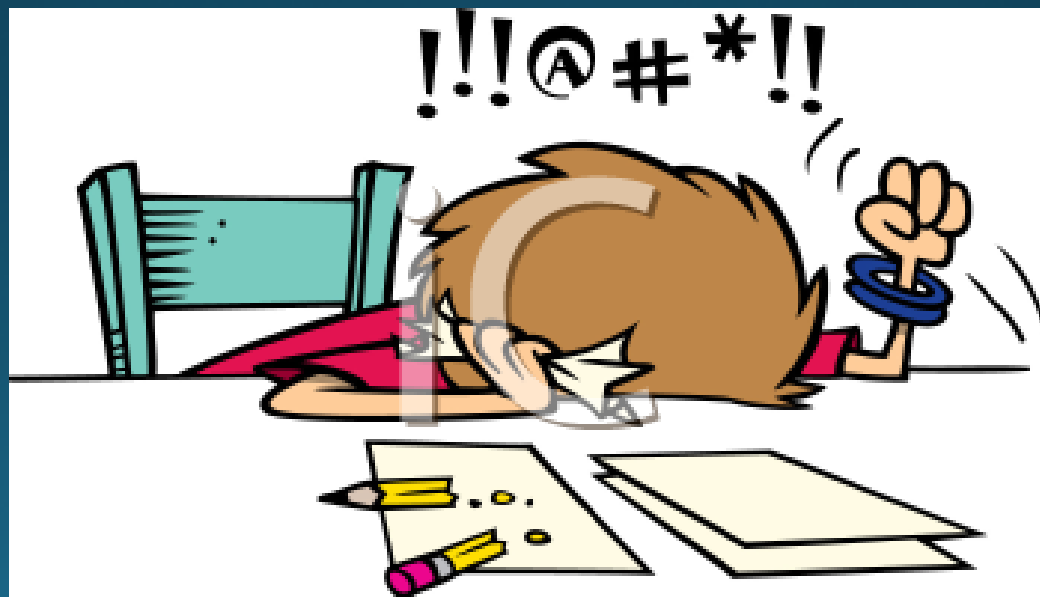
How to handle the appearance of a conflict?

- Ignore concerns being raised - “ride it out”
- Avoid interaction with your local gov’t attorney or Commonwealth’s Attorney
- Tell accusers to “bring it on”
- Ask the State Police for an investigation
- Claim the matter is too personal to discuss
 - Ask your other council members under “bonds of secrecy”
 - Call your mother





○ Say it ain't so.



OR

- Ask for opinion from local gov't atty, Commonwealth's Atty, COIA Council/staff promptly – give all facts
- Announce determination of no-conflict in a “thoughtful way” which might include:
 - sharing that you asked for an opinion or have attorney state this
 - sharing the opinion publicly and appropriately
 - provide disclosure that you can participate fairly, objectively and in the public interest



Don't want to pick a door without calling a "life line"?

- aka Resources.



Call

Your **City/Town/County Attorney,**
Your **Commonwealth's Attorney**
or
the **COIA & Ethics Advisory Council** staff
Hotline

- **G. Stewart Petoe**
Executive Director
Email: spetoe@dls.virginia.gov
Phone: 804-698-1845

- **General Staff Contact**
Email: ethics@dls.virginia.gov

- **Mailing Address:**
201 North 9th Street, 4th Floor
Richmond, Virginia 23219 (note:
they are moving)

- <http://ethics.dls.virginia.gov>
include training on website

Resources.

**COI & Ethics Advisory
Council staff**



Pick Door C



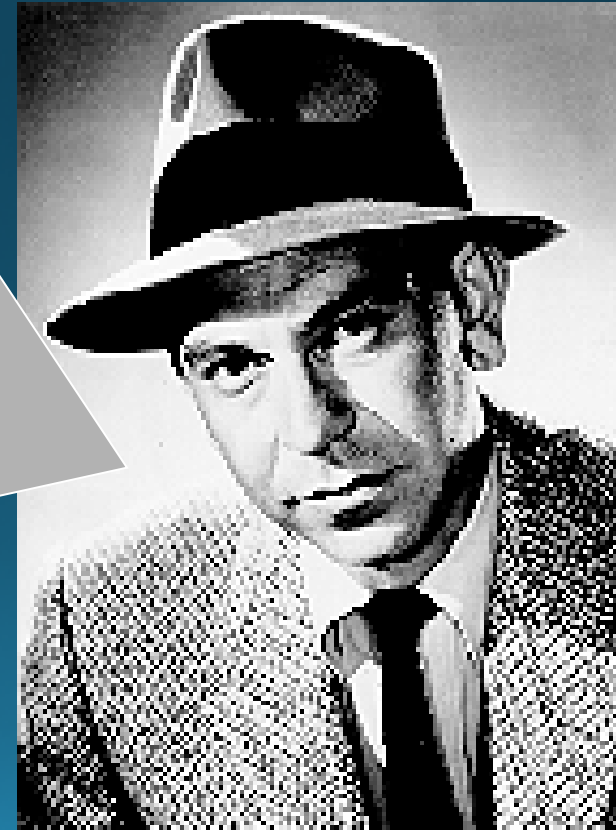
YAY!!!



You have:

- Peace of mind
- Credibility
- Can focus on your role as a public servant

✓ The stories which you are about to hear and the characters which you are about to meet are fictional; any relationship or similarity to any person or situation is purely coincidental.



- *Councilmember Brionne Bake*
- *Sun Power Executive Eddie Solare*
- *Councilmember Suzy Shake*
- *Neighbor Mo Toil*
- *Planning Director Don Durite*
- *Mayor*

Shake and Bake

Cast



- If CM Bake has disclosed that she is a trust beneficiary on his annual disclosure, does she need to tell Planning Director Durite and the Council?
- Can CM Bake meet with Planning Director Durite if Sun Power does not attend?
- Can CM Bake make a motion to expedite the Sun Power application?
- Can CM Bake comment on the project if she discloses her trust interest and speaks at citizens' time?

Questions – Are these actions proper under COIA?



- Can CM Shake meet with Planning Director Durite and his 7 neighbors to discuss the proposed NASCAR project?
- Can CM Shake make the motion to expedite the SUP application for Fast Track?
- Can CM Shake accept and hand out the season tickets from Fast Track?
- What disclosure, if any, do Shake and Bake have to make?



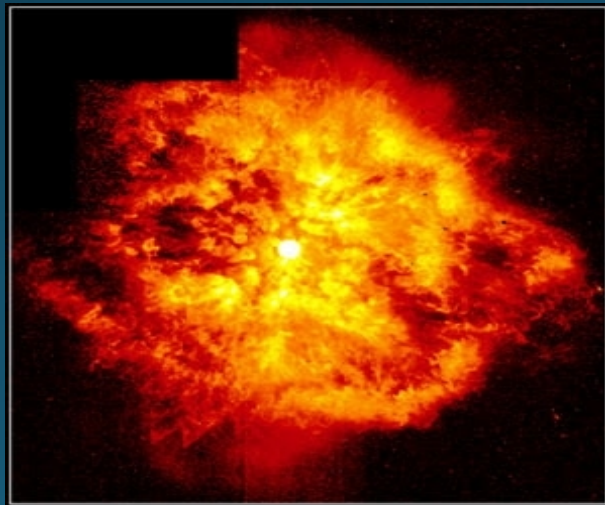
Questions – Are these actions proper under COIA?



- Councilmember Jett Pak
- City Manager
- Schools Superintendent
- Shel Cooper

Building Towards the Big Bang

Cast



- Can CM Pak properly offer the car discount to the Schools?
- Can City Manager return the drone and avoid violation of COIA (2.2-3103.2)
- Can CM Pak work a discount deal with the Schools?
- Can CM Pak buy a golf cart from the Schools?

Questions – Are these actions proper under COIA?



- What disclosure, if any, does CM Pak have to make?
- Can CM Pak be involved in Council or Economic Development Authority discussion of this proposed development?
- Can she simply speak with City Manager?



Questions – Are these actions proper under COIA?

- Councilmember O.O. Sevin
- Historic Preservation Commissioner G. Wash
- Councilmember Nancy North
- City Manager

CATCH ME IF
YOU CAN – A
Golden Circle

Cast



- Can CM Sevin give a suit to Commissioner Wash?
- Does Comm. Wash have to disclose the gift in his annual disclosure? Or otherwise?
- If Comm. Wash does not accept the suit, can he still promote CM Sevin's idea?
- Has CM Sevin done anything improper in approaching CM North?

Questions – Are these actions proper under COIA?



- Can CM North request the ordinance?
- Can CM North recommend her cousin to CM Sevin's niece for a job with her brokerage company?
- Must CM Sevin make any disclosure at this time?
- Can CM North attend the seminar?
- Must CM North make any disclosure at this time?

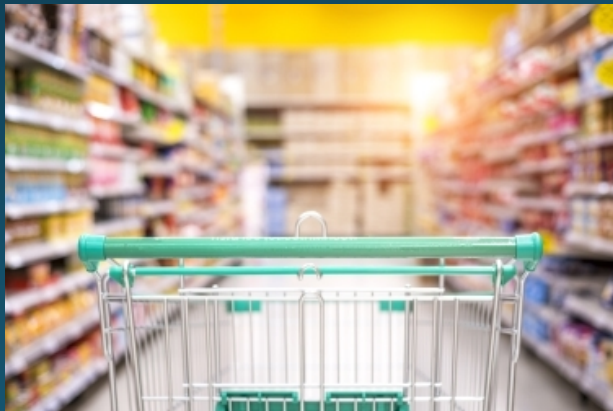
Questions – Are these actions proper under COIA?



- Che D. Shamm
- Councilmember N. Chasen
- Mayor
- Sewsan Duds
- Stan D. Firm
- Barry Chasen

Shamm-Mart

Cast



- Can Councilmembers accept the tacky trinkets?
- Can CM Chasen accept the drink/bottle of Virginia Gentleman?
- Does Mayor have a conflict in voting on the Shamm-Mart project based on her work as a real estate agent?
- Has Mayor used “inside information” for her personal gain?
- Does Mayor have a conflict based on her husband’s property interest?

Questions – Are these actions proper under COIA?

- Does CM Chasen have a conflict because he likes shopping at Shamm-Mart?
- Does CM Chasen have a conflict based on his son's current and potential future employment with Shamm-Mart?
- Does CM Chasen have a conflict based on his sister-in-law's financial interest in the proposed project?
- Can Sewsan Duds, as a member of the Service Authority Board, vote on an extension of sewer and water to the shopping center?

**Questions – Are these
actions proper under
COIA?**

Enhance citizen confidence in Government . . .

Avoid being the bad news



With deference and respect to “Let’s Make a Deal” and “Jeopardy.”

Presentation has been taken from prior presentations to VML, VACo, and LGA.

The presenter disclaims that she is providing individual legal advice or advice on behalf of any client.

