



Community Development Rezoning Report REZ15-317

Planning Commission
January 5, 2016

Board of Supervisors
January 27, 2016

Applicant	Lispen, LLC
Tax Map Id	124-(A)- L40 (portion); 123-(A)- L74 (portion)
Present Zoning	General Industrial District with Conditions (I-1C)
Proposed Zoning	General Industrial District with Conditions (I-1C)
Location	South of Cecil Wampler Road (Rt 704) and east of Interstate Highway 81
Acreage	28.5210
Election District	4
Comprehensive Plan	Industrial

Staff Recommendation:	Table	December 22, 2015
Planning Commission:		
Board of Supervisors:		

GENERAL INFORMATION

OVERVIEW / BACKGROUND

The Board approved the rezoning of this property from Prime Agricultural District (A-1) to General Industrial District with Conditions (M-1C) in 2003. At that time the applicant submitted a list of proffered conditions to the rezoning, including a list of prohibited uses for the property. The General Industrial District (M-1) has been renamed the Heavy Industrial District (I-1) as part of the Comprehensive Zoning Ordinance Rewrite, adopted in 2014. The applicant requests an amendment to the proffered conditions that remove some of the prohibited uses from the list as well as eliminating some of the conditions that are no longer relevant.

PROFFERS¹

The applicant has submitted a revised list of proffered conditions, which has been attached to this report.

COMPREHENSIVE PLAN

Industrial Areas offer major areas for industrial development within the County. Manufacturers locate in this area offer good access to primary roads and I-81. Appropriate uses include distribution centers, wholesale and warehouse establishments, research and development companies, flex space, and offices.

ZONING AND EXISTING LAND USE

No issues with the request.

Adjoining Properties and Uses

Direction From Site	Zoning	Existing Land Use
North	Heavy Industrial District (I-1)	Undeveloped
East	Heavy Industrial District (I-1)	Undeveloped
South	Heavy Industrial District (I-1)	Undeveloped
West	General Business District (B-1)	Undeveloped Interstate 81

¹ Proffers are voluntary contributions made by developers to the County through the conditional zoning process. Proffers are binding commitments which become a part of the County's zoning ordinance as it pertains to a specific property.

STAFF AND AGENCY ANALYSIS

UTILITIES

Public Works

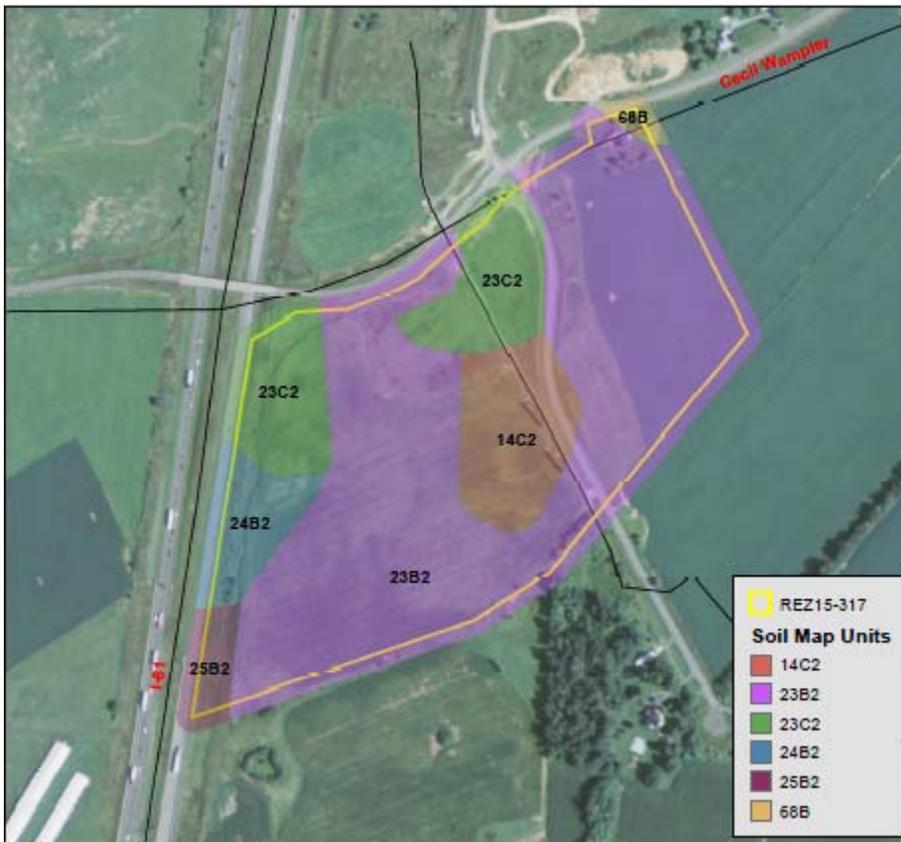
Public Works has a 12” water main in the vicinity that has adequate domestic flow for the property. Easements may need to be provided to extend the waterline onto the property. For sewer, Public Works has an 8” line that crosses the property. The 8” line was installed at minimum grade which can flow 500,000 gallons per day. Adequate capacity is available in the line for the proposed rezoning.

Health Department

No comment; public utilities to serve.

ENVIRONMENTAL

Soils



14C2 – Slopes are 7 to 15 percent. Depth to a root restrictive layer, bedrock (lithic), is 20 to 40 inches. The natural drainage class is well drained. Water

movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches is very low. Shrink-swell potential is high. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

23B2 – Slopes are 2 to 7 percent. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

23C2 – Slopes are 7 to 15 percent. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

24B2 – Slopes are 2 to 7 percent. Depth to a root restrictive layer, bedrock (lithic), is 40 to 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches is moderate. Shrink-swell potential is high. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

25B2 – Slopes are 2 to 7 percent. Depth to a root restrictive layer, bedrock (lithic), is 40 to 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches is moderate. Shrink-swell potential is high. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

68B – Slopes are 0 to 7 percent. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is low. This soil is frequently flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet hydric criteria.

Environment

No comment.

PUBLIC FACILITIES

Schools

No comment.

Fire & Rescue

Property is located within the Hose Company #4 Volunteer Fire Department's Port Republic Road Substation and Harrisonburg Volunteer Rescue Squad's respective first due areas. With the continued construction and growth within the County, our office has concerns with being able to provide emergency services to new and upcoming projects and locations while maintaining current emergency [services].

Sheriff

No comment.

TRANSPORTATION

Traffic Counts

Road	Classification	Geometry	Traffic Count*	Posted Speed
Cecil Wampler Road (Route 704)	Minor Collector	2-Lane Highway	4,300 VPD (2014)	45 MPH

* Vehicles Per Day (VPD)

VDOT

The proposed rezoning to allow a truck terminal on the subject parcels could have a significant impact to the highway system. The following comments are intended to address VDOT traffic concerns and access to the site:

1. There has been informal discussion regarding the traffic generation of the proposed truck terminal. The understanding was that the business would be limited to 35 employees and less than 25 trucks per day. However, the rezoning has not been proposed with any such limitations. Due to the size of the property and the potential impact a large trucking terminal could have, VDOT recommends the rezoning be conditioned on not exceeding the above referenced volumes.
2. It is VDOT's understanding that Crowe Drive will be extended to the south side of Cecil Wampler Road to serve as access to the subject parcels. Note #1 regarding "The primary road affording access on the east side of Interstate

81", should not be removed if it remains the intent for Crowe Drive to come into the secondary system.

3. It is our expectation that access to both of the subject parcels will be via Crowe Drive. It is undesirable to have an additional access onto Cecil Wampler Road. The attached plat shows a separation between the proposed right-of-way for Crowe Drive and Lot 74. This will prevent Lot 74 from having direct access to Crowe Drive. This could be viewed as a spite strip. The boundary line should be adjusted or an easement provided to guarantee a connection to Crowe Drive.

SUMMARY

Considerations

- This amendment to the proffered conditions removes several uses from the list of prohibited uses, reinstating it as a permitted use on this property.
- The amendment also removes conditions that are already addressed in the Rockingham County Zoning Ordinance.
- The Comprehensive Plan identifies this area for Industrial development.
- With the continued construction and growth within the County, the Office of the Fire Marshal has concerns with being able to provide emergency services to new and upcoming projects and locations while maintaining current emergency [services].
- The proposed rezoning to allow a truck terminal on the subject parcels could have a significant impact to the highway system.

Staff Recommendation: Table

December 22, 2015

Although the amendment revises the proffers to be in accord with the newly adopted zoning ordinance and adds previously excluded uses without changing the underlying zoning, the applicant has yet to present a clean letter of proffered conditions or to address the concerns of VDOT. Until these issues are resolved, staff recommends tabling the request.

Planning Commission Recommendation:

Board Decision: