



Community Development Rezoning Report REZ16-181

Planning Commission
August 2, 2016

Board of Supervisors
August 24, 2016

Applicant	Daniel H. Wylie
Tax Map Id	52-(A)- L114 and L115
Present Zoning	Low Density Residential District (R-1)
Proposed Zoning	General Agricultural District (A-2)
Location	East of Daphna Rd. (Rt. 803) and west of Mayland Rd. (Rt. 259)
Acreage	2.012 acres
Election District	1
Comprehensive Plan	Commercial

Staff Recommendation:	.Approval	July 27, 2016
Planning Commission:		
Board of Supervisors:		

GENERAL INFORMATION

OVERVIEW

The subject properties were rezoned from General Agricultural District (A-2) to the Low-Density Residential District (R-1) during the 1985 comprehensive rezoning of the County.

PROFFERS¹

Proffers limit the use of this site to a single-family dwelling, agriculture, and a contractor's business. If this rezoning request is granted, the operation of a contractor's business would require a special use permit.

COMPREHENSIVE PLAN

Commercial Areas are generally comprised of existing or planned community retail, professional offices, and retail/office mixed use areas along primary roads. Commercial areas are planned for public water and sewer and should offer connecting streets and sidewalks where appropriate. New commercial areas must be landscaped to reduce the visual impacts of large parking lots. Most of the parking should be located to the sides or rear of buildings.

ZONING AND EXISTING LAND USE

Adjoining properties to the west, north, and south are zoned residential. However, with the proffered conditions placed on the request by the applicant, a special use permit would be required for the contractor's business. With that special use permit, the Board could place conditions that would offer relief to the adjoining landowners. Based on the conditions proffered by the applicant and the fact a special use permit would be required for the contractor's business, the Zoning Administrator has no opposition to this request.

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.

Adjoining Properties and Uses

Direction From Site	Zoning	Existing Land Use
North	Light Industrial District (I-2)	Multiple businesses
East	General Agricultural District (A-2)	Homesite
South	Low Density Residential District (R-1)	Church, Cemetery, and Undeveloped Land (Linville Creek Church of the Brethren)
West	Low Density Residential District (R-1)	Undeveloped Land (The Mennonite Foundation, Inc.)

STAFF AND AGENCY ANALYSIS

UTILITIES

Public Works

No County water and sewer is available to the property. The Town of Broadway could be contacted for potential connections.

Health Department

A sewage disposal system will need to be approved for the business. A private sector consultant/designer should be contacted to evaluate options.

ENVIRONMENTAL

Soils



29B2 - 2 to 7 percent slopes.

29C2 - 7 to 15 percent slopes.

33C2 - 7 to 15 percent slopes.

56D - 15 to 45 percent slopes.

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 moderately high. 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.

Erosion and Sediment Control and Stormwater Management

No comments submitted.

PUBLIC FACILITIES

Schools

No comments submitted.

Fire & Rescue

The site is located within the Broadway Volunteer Fire Department and Broadway 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 responses.

Sheriff

The Sheriff's Office has no comments.

TRANSPORTATION

Traffic Counts

Road	Classification	Geometry	Traffic Count*	Posted Speed
Mayland Road (Route 259)	Minor Arterial	2-Lane Highway	8,400 vpd	45 mph
Daphna Road (Route 1437)	Local Road	2-Lane Highway	30 VPD	Un-posted (cul-de-sac)

* Vehicles per Day (VPD)

VDOT

1. The subject rezoning will not have a significant impact to the roadway network.
2. Access to the subject parcel will be via Daphna Road (Rt. 1437).
3. Access to the site will be in accordance to Appendix F of the VDOT Road Design Manual.

SUMMARY

Considerations

- The property is located within a Commercial Area of the Urban Growth Area.
- The applicant has proffered conditions to this request that limit the use of the property to a single-family dwelling, agriculture, or a contractor's business.
- The applicant has proffered a condition limiting the hours of operation.

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Zoning from R-1 to A-2C

- Should the applicant wish to pursue a contractor's business, a special use permit must be obtained.

Staff Recommendation: Approval

July 27, 2016

Whereas this request allows for a commercial use within an area designated as commercial in the comprehensive plan, staff recommends approval.

Planning Commission Recommendation:

August 2, 2016

Board Decision: