



ZONING AMENDMENT STAFF REPORT

Rezoning Case Number: **ZCR1074**

Applicant: **Bradley Golding**

Current Zoning: RA Proposed Zoning: RB-C

Tax Parcel ID Number(s): 5001-02-97-1410

Nature of the Request

Overview: The request is to zone a 3.46-acre lot for business purposes

General Use Rezoning Conditional Rezoning

If the nature of the request is a Conditional Rezoning, the following uses shall be permitted in this proposed conditional zoning district:

Auto, truck and motorcycle sales; Auto detailing; Automotive supplies; Lawnmower repair; Metal fabricating shop; Motor vehicle repair; Small motor repair.

The following development conditions have been offered by the applicant:

Applicant identifies in the above referenced list one (1) conditional use: Motor vehicle repair. One condition listed in Article 16, Section 8 requires double (2x) setbacks. the existing structure to be used for the proposed business cannot meet the setback requirement along the northeast property line. However, the applicant proposes an eight-foot wooden opaque fence along that property line from street right-of-way to wooded natural buffer in rear.

Property Specifics

Property Owner: Bradley Golding

Property Location: 841 Miller Road, from Pipers Gap Road, third driveway on right.

Township: Stewarts Creek

Acreage: 3.46

Deed Book: 1329

Page: 0285

Zoning History of Parcel(s): Has been zoned RA since 2001.

Character of the Area

Overview: Surrounding uses are low-density residential with woods. Property is about 1/2 mile from Mount Airy planning jurisdiction.

Existing Land Use(s) on the Property: A 3,200 sq.ft. one-story non-residential building built since 2008 in the northern corner of the property. Owner states this has been used as a personal garage. Owner's residence is directly across Miller Road.

Surrounding Land Use(s) and Zoning:

Location	Land Use	Zoning
North	Residential, Woods	RA
South	Residential, Woods	RA
East	Residential, Woods	RA
West	Residential, Woods	RA

Historic Properties: N/A

Infrastructure and Community Facilities

Public Schools:

District	Enrollment	Existing Capacity
Franklin	646	908
Meadowbrook Middle	465	650
North Surry High	1042	1025

Fire District: Franklin

Water and Sewer Services:

- Private Well
 Private Septic
 Public Water
 Public Sewer

Public Water/Sewer Provider: None

Public Water/Sewer Planning: Public water projected available by 2027 (North hwy 52 project). No projection for sewer service within 1/2 mile.

Transportation:

Property Access: Property is accessed by paved secondary road Miller Road, 541 feet of road frontage. Structure is 1000 feet north of Pipers Gap Road.

ADT: not available trips per day **Year:** 2009

Proposed Improvements: None

Projected Traffic Generation: None

Thoroughfare Plan Consistency: Minimal impact expected. Pipers Gap Road ADT estimated 1000 trips per day.

Environmental Assessment

Topography: Level to rolling

Flood Hazard: n/a

Streams: No **Perennial:** No

Wetlands: No

Watershed: Stewart's Creek WS-IV

Watershed Development Density: 24% built-upon

Land Use Planning Consistency

Applicable Land Use Plan(s): Land Use Plan 2015

Future Land Use Classification(s): Rural Areas (LUP 2015)

Consistency Principle(s):

Land Use Plan 2015

5.3.3 Encourage economic and commercial development that does not detract from the rural environment.

5.4.5.1 Commercial development shall be encouraged to occur in clusters or Planned Shopping Centers to minimize strip development and allow for more efficient delivery of services.

5.4.5.3 Buffering and/or Landscaping shall be provided where commercial development adjoins existing or planned residential areas.

5.4.5.4 New commercial development should be encouraged to locate within existing areas of commercial activity.

5.4.5.9 Isolated businesses in predominantly rural areas may be encouraged on a case-by-case basis if the amenities provided are not available in the immediate vicinity/community.

5.4.5.10 Isolated businesses should have the ability to expand and grow if the proposed expansion does not drastically change the business' impact on the surrounding community.

5.4.5.12 Businesses should be served by roads and streets of a capacity sufficient for safe traffic flow; large businesses should locate at major intersections.

5.4.5.14 Standard site development requirements for commercial and non-residential land uses should be incorporated into the Zoning Ordinance that will facilitate the desire to better address landscaping, access, and site design

Meeting Summaries

Applicant met with staff in early October 2010, and was advised that a conditional district request is appropriate for the proposed isolated business use.

Recommendation

Staff recommends approval of the conditional district based on the site plan submitted, which addresses buffering issues adequately and does not propose new construction or expansion of the existing facility. The proposed use is a transition from the existing/current personal use to a commercial use of the property, but proposed scale of use as defined by the site plan does not appear to involve significant increase from the existing use, or major impact on surrounding properties or community.

The Planning Board may recommend other changes in the permitted use list, and may address issues like parking/access, buffering/screening and preservation of natural features and/or public health, safety and welfare.

General ordinance criteria for Planning Board review (Article 4, Section 3):
~Will the proposal place all property similarly situated in the area in the same category, or in appropriate complementary categories? [Staff response: Yes]

~Is there convincing demonstration that all uses permitted under the proposed district classification would be in the general public interest and not merely in the interest of an individual or small group? [Staff response: Yes]

~Is there convincing demonstration that all uses permitted under the proposed district classification would be appropriate in the area included in the proposed change? (When a new district designation is assigned, any use permitted in the district is allowable, so long as it meets district requirements, and not merely uses which applicants state that they intend to make of the property involved.) [Staff Response: Yes]

~Is there convincing demonstration that the character of the neighborhood will not be materially or adversely affected by any use permitted in the proposed change? [Staff Response: Yes]

~Is the proposal in accord with the Land Use Plan and sound planning principles? [Staff Response: Yes]

Attachment(s)

Maps, pictures, site plan and use list