

# **Planning Staff Report**

File #: P-10-3  
Applicant: Mr. Lawrence Bolling  
Rezoning Request: Agricultural, General, A-2 to Business, General, B-2  
Property Location: 20207 and 20203 McKenney Hwy., Stoney Creek  
Tax Map Parcel #: 94-31A  
Property Size: 1.03 acres  
Magisterial District: Spony District  
Planning Commission Mtg.: July 14, 2010

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## **CASE OVERVIEW**

The applicant, Lawrence Bolling, is requesting to rezone property containing approximately 1.03 acres from Agricultural, General, A-2 to Business, General, B-2 in order to allow for the continued operation of the existing commercial businesses. The Business, General, B-2 zoning classification allows for general business pursuant to the Zoning Ordinance allowed density. The property is located at 20207 and 20203 McKenney Highway (Hwy. 40) Stoney Creek, and the property is further defined as Tax Map Parcel 94-31A. As indicated in the Dinwiddie County Comprehensive Land Use Plan, the subject property is located within the Rural Conservation Area, which recommends limited commercial and service development for this general area.

## **ATTACHMENTS**

Attachment A - Rezoning Application  
Attachment B - Property Location Map  
Attachment C - Property Pictures

## **LAND USE/ZONING ANALYSIS**

The subject property is occupied by three commercial buildings: a convenience store with two gas pumps, a hair salon, and a community center/ hunt and fish club. The properties in the immediate area surrounding this land parcel include a single-family residential dwelling on the adjoining parcel to the east and agricultural land uses to the south, west and north across Hwy. 40. The surrounding properties are zoned A-2, Agricultural, General. In the Comprehensive Land Use Plan the subject property is located within the Rural Conservation Area, which recommends limited commercial and service development for this general area.

The Business, General, B-2 zoning district is intended for areas within the community that are appropriately located for the conduct of general business to which the public requires direct and frequent access, and given location of the commercial businesses located on the subject property, which front on Hwy. 40, the subject property is well suited for general business uses requiring frequent vehicular access.

## **OVERVIEW OF IMPACTS**

*Public Utilities, Public Safety, & Land Use Impacts*

The impacts related to the rezoning of the subject property are dependent on the type of business being conducted on the subject property, and as previously noted, the subject property is currently occupied by three commercial buildings housing the three commercial businesses. The subject property currently has adequate area for vehicular access and parking. Currently, there is no impact to the public utility system and future impacts will be dependent on future use(s) locating on the subject property. Any change in future development or future division of the property will be subject to governmental agency reviews and permitting. The potential impact on public safety will, again, be subject to the type of use that is developed on the property. The location of the property is well suited for responding to public safety related calls.

With the current use of the property generating very few vehicle trips, the impacts on the existing transportation network are negligible. The subject property has direct access to Hwy. 40 and when there is a change of use on the property the access points and commercial entrance design will have to be evaluated by VDOT. Under current VDOT Code when there is a proposed change in use, the road network in this area will have to be evaluated to see if road improvements are required to handle the additional traffic generated by the proposed use.

### **STAFF RECOMMENDATION**

Staff recommends APPROVAL of the request to rezone the subject property given that:

1. The current commercial uses located on the subject property conform to the permitted uses allowed in the zoning classification requested: B-2, Business, General;
2. With the history of the commercial land uses located on the subject property operating under the current A-2 zoning, the requested B-2, Business, General, zoning classification is compatible with the surrounding land uses and zoning; and
3. The requested B-2 District zoning classification and uses permitted in the B-2 District zoning classification conform to the underlying uses recommended in the Rural Conservation Area in the Comprehensive Land Use Plan for this general area.

### **PLANNING COMMISSION RECOMMENDATION**

During the Public Hearing portion of the meeting there was no one who signed up to speak, and no one was present to speak. The applicant, Mr. Bolling was present at the meeting and he spoke in favor of the request and stated that he would answer any questions that the Commissioners may have. Mr. McCray asked Planning staff if Mr. Bolling has to pave his parking area, and staff indicated to the Commission that the parking area does not have to be paved as part of the rezoning of the property, but in the future if the existing uses are expanded then the parking area would have to be paved. There being no further questions from the Commissioners; the Planning Commission unanimously recommended approval of the rezoning to the Board of Supervisors by a vote of 5-0.

### **BOARD ACTION**

Since this is a zoning matter, the standard statement regarding Board action on this zoning matter must be read. In order to assist, staff prepared the following statement:

BE IT RESOLVED, that in order to assure compliance with Virginia Code Section 15.2-2286(A) (7) it is stated that the public purpose for which this Resolution is initiated is to fulfill the requirements of public necessity, convenience, general welfare and good zoning practice, I move that rezoning P-10-3 be (approved, OR disapproved) by the Board of Supervisors.