

RZ06-3
Request of Ramsey, Inc.
To Rezone 10.8-acres
From R1 (Low-Density Residential)
To R2-C (Medium-Density Residential with Conditions)

Location

The site is located to the east of Spring View Subdivision, and bounded to the south by Atkins Drive (Virginia Route 655), and bounded to the north by U.S. Highway 211.

Background

The applicant, Ramsey Inc., originally petitioned the Town to rezone the subject 10.8-acre parcel in July of 2005. On July 11, 2005 the Town Council unanimously voted to “conditionally approve” the rezoning provided that the applicant submit several items to the Town for review.

The ensuing correspondence from the Town (to the applicant) lists several items to be submitted for review by the Town Staff. These items appear to be matters which normally would be addressed during preliminary and final plat review process.

Because the Code of Virginia does not allow for a rezoning application to be “conditionally approved”, this action served as a tabling of the rezoning application by the Town Council.

Due to the amount of time that has elapsed since this application was originally heard by the Town Council, the Town Planner recommended the rezoning application be sent back to the Town’s Planning Commission for further review. During the June 12, 2006 regular meeting of the Town Council, the Council unanimously voted to send Ramsey Inc.’s rezoning application back to the Planning Commission for review.

Proposed Uses and Proffers

The applicant has submitted a voluntary proffer letter that addresses improvements to be made as a condition of the rezoning. The proffers submitted by the applicant include the following improvements:

- Improvements to Atkins Drive as determined by VDOT and the Town
- Installation of Curb and Gutter throughout the development
- Installation of sidewalks on both side of the streets throughout the development
- Engineering, design, construction, and installation of all water and sewer lines
- Engineering, design, construction and installation of a new sewage lift/pump station

A complete copy of the applicant’s proffer letter is attached.

Zoning and Existing Land Use

The site is zoned R1, and is presently an open field.

Adjoining Properties and Uses

Direction from Site	Zoning	Existing Land Use
North	Agricultural (County)	Open Field
South	R1	Open Field
East	M1 (County)	Residence
West	R1	Spring View Subdivision

Floodplain

No portion of the site is located in a 100-year floodplain.

Roads/Road Access

The applicant has submitted proffers which address improvements to Atkins Drive. The applicant has agreed to “engineer, design, construct and install all required off-site street upgrades and improvements necessary to accommodate the added traffic caused by the Meadow Lark Subdivision to the adjoining Atkins Drive as reasonably required by VDOT and the Town of Luray. Ramsey shall be responsible for all cost associated with this work.”

Before the applicant submits a preliminary plat the Town (in conjunction with VDOT) will determine specific upgrades and improvements to be made to Atkins Drive.

Adjoining Land Located in the County

The applicant is presently petitioning Page County to rezone approximately 6-acres (which adjoins the 10.8-acres located in the Town) from M1 (Industrial) to Residential.

The applicant is seeking to apply the Town’s R2 zoning to the adjoining 6-acres located in the County. Overlaying a Town zoning district (e.g., R2) on an adjacent County property is allowable under the County’s Zoning Ordinance.

The Page County Planning Commission tabled this rezoning request at its June of 2006 meeting.

Considerations

- The applicant intends to proffer improvements to Atkins Drive, and the installation of curb, gutter, and sidewalks in the portion of the development located in the County. County Officials have indicated that no formal proffer agreement has been submitted at this time.
- The minimum lot size in the R1 and R2 zoning districts are 15,000 square feet and 10,000 square feet respectively.

Staff Recommendation: Approval

June 30, 2006

Presently the 10.8-acre site is zoned R1 and by-right a preliminary plat could be submitted to subdivide this parcel for single-family dwellings. Through proffers, the applicant has voluntarily agreed to engineer, design, construct and install all reasonably required off-site upgrades and improvements to Atkins Drive. Additionally the applicant has proffered to install and design all water and sewer lines to the subdivision. Also, a sewage pump station has been proffered to serve the subdivision. It is believed that the proffered road and infrastructure improvements – as a condition of the rezoning – warrant rezoning this parcel from R1 to R2 in order to allow for an increase in density.