A special meeting of the Bristol Virginia Planning Commission will be held at **12 Noon** on Monday, September 16, 2019 in the City Council Chambers in City Hall, 300 Lee Street.

**AGENDA**

I. Call to Order

II. Brief Updates and Comments from Staff and Commission Members

III. Comments from Members of the Public on Non-Agenda Items

IV. Consideration of Minutes of August 19, 2019 Regular Meeting and August 26 Work Session

V. New Business
   
   A. None Scheduled

VI. Old Business
   
   A. Consideration of Zoning Map Amendment Application 01-2019 from Long Crescent LLC for Tax Map #221-A-2, 221-A-3, and 261-A-6A from R-1A to B-3
   
   B. Update on Revised Zoning Ordinance project – Possible Work Session with City Council and Work Session on next section of zoning maps to review

VII. Adjournment

Next Regular Meeting – **Monday, October 21, 2019**
Bristol Virginia Planning Commission  
Monday, August 18, 2019  
12:00 pm

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I. Call to Order

Mr. Pennington called the meeting to order at 12:01 pm.

II. Consideration of Minutes of July 15, 2019 Regular Meeting

Ms. Long made a motion to approve the minutes of July 15, 2019 regular meeting. Mr. Buchanan seconded the motion and the following carried the vote:

Ayes: Buchanan, Forbes-Hubbard, B. Long, S. Long, Pollard, Wingard  
Abstentions: Pennington

III. New Business

A. Report on Re-appointments and Appointments

Ms. Morgan, City Planner, reported that Mr. Pennington and Ms. Forbes-Hubbard were reappointed for new terms by the City Council. Ms. Morgan stated that Mr. Long’s resignation will be effective at the end of August 2019. She reported that Ric Watts was appointed by City Council to serve that remaining term and acknowledged that Mr. Watts was present at the meeting.

B. Election of Officers for FY 2019-2020

Ms. Morgan, reported that the Rules of Procedure for the Planning Commission state that the election of Chairman and Vice-Chairman shall take place at the Commission’s July meeting, but that the item was tabled at the last meeting due to the absence of members. She reported that the current officers are eligible for reelection.
Ms. Morgan, serving as temporary Chair, opened the floor for nominations for the election of officers. Mr. Pennington nominated Mr. Pollard to serve as Chairman, and the nomination was seconded by Mr. Buchanan.

Mr. Long nominated Mr. Buchanan to serve as Vice-Chairman and the nomination was seconded by Mr. Wingard. Mr. Long made a motion to close the nominations.

The Commission voted unanimously to approve the election of Mr. Pollard to serve as Chairman and Mr. Buchanan to serve as Vice-Chairman for the FY 2019-2020.

*(Secretary's note: Mr. Pennington left the meeting at 12:15pm)*

C. Consideration of Final Plat #6-2019 for Wildflower Ridge – Phase 1B

City Planner, Ms. Morgan, reported that the applicant is seeking final plat approval to create (8) new lots as Phase 1B of the Wildflower Ridge subdivision. Ms. Morgan reported that the Planning Commission approved a preliminary plat for Phase 1B at its July meeting which revised the original preliminary plat approved in May 2017. Ms. Morgan stated that the preliminary plat was distributed to City engineering staff, BVU, city Building Official, Transit, GIS, Police Department and Fire Department and comments for revision to the plat were provided to the applicant and surveyor by the city engineering and planning staff. Ms. Morgan stated that most of the revisions are details that were added or corrections regarding easements and labels.

Ms. Morgan stated that the applicant is aware of requirements to create a landscape buffer between the property owners, and also to maintain private streets, common area, and storm water drainage facilities through the existence of a property owners’ association. Ms. Morgan stated that the developer also has soil and erosion and storm water issues to resolve and the City Engineer has issued a stop work order because of existing violations.

Ms. Morgan recommended that Planning Commission approve the final plat contingent on the following conditions:

a) The proper reference to plat deed covenants that provide for property owners association to be responsible for all common area.

b) BVU will require deeds for utility easements.

c) Corrective actions must be taken on erosion and sediment control/storm water violations.

d) Landscape buffer must be provided as per covenants and 1980 rezoning conditions.

There was much discussion regarding the landscape buffer requirement. The commission raised questions concerning the height requirements of shrubbery and also why the city would require a buffer between residential properties. Ms. Morgan stated that the height would be determined in the site plan process. The commission questioned the possibility of removing the condition, however, Ms. Morgan stated that the buffer is a condition of the rezoning in the 1980s and would require another rezoning request from the property owner to remove the condition.
The Commission raised questions regarding current stop work order on the construction site. Ms. Morgan stated that the city engineering department confirmed several violations with the drainage and erosion control and that the city is obligated to adhere to state regulations. The Commission asked about the requirements to lift the stop work order. City Engineer, Joe Daft, replied that the site requires soil stabilization (by growing grass) by DEQ regulations. He also reported that the developer has failed to fix the violations over a long period of time despite numerous citations.

Ms. Long made a motion to approve the final plat contingent upon the four conditions:

a) The proper reference to plat deed covenants that provide for property owners association to be responsible for all common area.
b) BVU will require deeds for utility easements.
c) Corrective actions must be taken on erosion and sediment control/storm water violations.
d) Landscape buffer must be provided as per covenants and 1980 rezoning conditions.

Ms. Forbes-Hubbard seconded the motion and the following carried the vote:
Ayes: Buchanan, Forbes-Hubbard, B. Long, S. Long, Pollard, Wingard

D. Review of Zoning Map Amendment Application 01-2019 – Long Crescent, LLC

Ms. Morgan reported that city staff received an application on July 16 for a request for a map amendment of three tracts of land owned by Long Crescent LLC from R-1A (Single-Family Residential) to B-3 (Intermediate Business). Ms. Morgan stated that the property is currently undeveloped but the applicant/property owner is proposing a campground and RV park which comes under the term of overnight recreational development. Ms. Morgan stated that City Council adopted on July 9, 2019 a new section of city code 50-177 for Overnight Recreational Development and changes to Section 50-109 to allow this type of development as a permitted use in a B-3 zone.

Ms. Morgan presented a slide showing the aerial view of the location of the property consisting of three adjoining parcels – two of which have a combined estimated 1,900 linear feet of road frontage on Long Crescent Road and the third parcel adjoins both of the larger parcels on the southern side of the property. Ms. Morgan reported that the property is undeveloped and heavily vegetated with trees and shrubbery. Ms. Morgan stated that there has been no previous map amendment requests for this property to the knowledge of current city staff.

Ms. Morgan stated that the subject property is bordered on the south by single-family homes at the top of Long Crescent Road as it goes over the ridge toward Meadow Drive and Virginia Heights. Ms. Morgan reported that the closest house to that boundary line is about 120 feet from the rear property line. Ms. Morgan stated that visibility of the adjoining subject property is limited due to existing vegetation and slope, which provide a natural barrier to the view of the subject property from the residences, Interstate and business-
oriented uses. The other adjoining land uses which border the east side are semi-public assembly uses, therefore, commercial B-3 zoning would be compatible with these uses.

Ms. Morgan reported that the 19-acre tract has been vacant for many years with no expansion of residential use proposed and is large enough to accommodate a commercial business or multiple businesses. Ms. Morgan stated that the 2017 City of Bristol Comprehensive Plan addresses future commercial development in the Exit 5 and 7 areas and encourages continued efforts to grow that area into a premier shopping destination. Ms. Morgan stated that the Comprehensive Plan encourages the transition and redevelopment of incompatible land use arrangements, as identified on the Land Use Map, into more compatible land use arrangements. Ms. Morgan stated that due to its proximity to the Interstate, most of the area along Long Crescent Road up to where the roadway narrows is designated Regional Commercial and the ridge south of the road frontage property provides a substantial barrier to further commercial development.

Ms. Morgan stated that the proposed use of the property might increase the level of traffic on Long Crescent Road. The city transportation planner used the number of campsites and cabins depicted in the concept site plan and available trip generation data to provide at least a preliminary estimate and found that traffic volume in not anticipated to be a problem as this road is not heavily travelled. She did point out that there are concerns about large vehicles traveling west from the property entrance due to the narrowness and slope of the roadway in that direction and also, vehicles going east may have difficulty turning left onto Lee Highway.

Ms. Morgan reported that the proposed change would not impact the local school system, local parks and recreation facilities and services, or present additional issues for law enforcement, or other emergency services. Ms. Morgan reported that a fire hydrant installation would be required as the distance between fire hydrants at this location is over 2,000 feet, and garbage collection services will be addressed during the site plan review process.

Ms. Morgan recommended that the Planning Commission consider and approve forwarding the application to City Council for a joint public hearing.

There was discussion regarding the maintenance of the road and the natural screening between the residential use and the proposed property development. Ms. Morgan stated that all adjoining property owners would be notified of the joint public hearing.

Ms. Long made a motion to forward the application to City Council for a joint public hearing. Mr. Long seconded the motion and the following carried the vote:

Ayes: Buchanan, Forbes-Hubbard, B. Long, S. Long, Pollard
Abstentions: Wingard
IV. Old Business

A. Consideration of Planning Commission Annual Report for Consideration

Ms. Morgan reported that one of the duties of the Planning Commission is to provide an annual report to the governing body concerning the operation of the Commission. This item was also tabled from the July meeting. Ms. Morgan stated that staff has prepared the report and would like the Commission’s review and approval to send it to the City Council.

Mr. Long made a motion to forward the Planning Commission Annual Report to City Council with a revision made to correct Ms. Forbes-Hubbard’s name. Ms. Long seconded the motion and the following carried the vote:

Ayes: Buchanan, Forbes-Hubbard, B. Long, S. Long, Pollard, Wingard

(Secretary’s Note: Mr. Long left the meeting at 1:20 pm)

B. Consideration of Amendment(s) to Rules of Procedure for Planning Commission

Ms. Morgan reported that City Council made changes to the City Charter on December 11, 2018, including the terms for the Planning Commission changing from three-year terms to four-year terms. The current Rules of Procedure document (dated May 21, 2001) still reflects the three-year terms as well as one term being indefinite. This has also been changed in the City Charter to eliminate the indefinite term.

Ms. Morgan also indicated that Mr. Pollard had recommendations for additional changes to the Rules of Procedure by adding items under Order of Business (Brief updates, Member comments, and Public comments) for consistency with City Council agendas, and re-numbering the items. Mr. Pollard also recommended omitting the requirement to telephone members regarding their attendance on the day of the meeting. Ms. Morgan recommended that the Commission amend its Rules of Procedure to reflect the new terms adopted in the City Charter as well as the other changes suggested by Mr. Pollard.

Ms. Forbes-Hubbard made a motion to accept recommended changes to the Rules of Procedures. Ms. Long seconded the motion and the following carried the vote:

Ayes: Buchanan, Forbes-Hubbard, S. Long, Pollard, Wingard

C. Proposed Zoning Map Changes – West third of city (west of Commonwealth Avenue) – Proposal to hold work session

Ms. Morgan reported that she has identified possible changes to the zoning map for the first Work Area, and recommended that the Commission consider a work session to discuss proposed these changes.
Ms. Long made a motion to hold a work session on Monday, August 26 at noon to discuss changes to the Proposed Zoning Map. Mr. Buchanan seconded the motion and the following carried the vote:

Ayes: Buchanan, Forbes-Hubbard, S. Long, Pollard, Wingard

V. Adjournment     The meeting adjourned at 1:18 pm.
Bristol, Virginia Planning Commission **Work Session**
Monday, August 26, 2019
12:00 pm

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I. Call to Order
Mr. Pollard called the meeting to order at 12:00 pm
Secretary’s Note: Mr. Pennington arrived at 12:11 pm and left at 12:27 pm

II. Work Session on Possible Zoning Map Revisions – Work Area 1 (West of Commonwealth Ave.)

Ms. Morgan discussed a set of work maps for the following areas and possible changes, recognizing that many of these are minor adjustments to match zoning boundaries with property lines, while some are proposed for better matching of the existing uses with the appropriate zoning district or to implement the Comprehensive Plan. These maps are on file with the city planning office.

Steele Creek Road/Island Road:
- Change the M-1 to match property line.
- Change the lots between the Cancer Center and Steele Creek Rd to B-1.
- Change the BVU substation and Auto Auction business to B-3 near Exit 1.

Island Road/Gate City Highway:
- Adjust boundaries of B-3 across from Lutheran Church to match property lines and extend it slightly on Island Rd.
- Change lots along Island Road to B-1 in conformity with Comp Plan, however keep the existing M-1 tract with slight boundary adjustment to match property boundaries

Gate City Highway (Mall)
- Change the Mall property from B-3 to the new Flexible Redevelopment District (FRD), including three tracts west of the Mall

Pittstown Road:
- Change B-3 to B-1 at corner of Commonwealth Ave Ext. and Pittstown Rd. as more appropriate zone.
- Change small triangle at Island Rd and Pittstown Rd. from M-1 to B-1.
- Extend R-2 in three small places on Pittstown Rd.
- Correct some zoning boundaries to match parcel lines

Elkton Lane Area:
- Match the M-1 boundary with Shearer’s property boundary
- Change remainder of church tract to B-1
- Adjust B-1 lines at Keys St. and Elkton Lane
- Shift M-2 to include all of DH Griffin property on Elkton Lane.

Commonwealth and Euclid Avenue:
- Change Commonwealth west corridor from Spurgeon Lane to Euclid and Commonwealth east side from the southern border of Kingsway Charities to Prospect St. from M-2 to B-3 to reflect existing uses and Comp Plan
- Change former Food City strip center (Ollie’s), front parcels, and new car wash from M-2 to B-3.
- Change small triangle corner at Bob Morrison and Euclid Avenue to B-3
- Change current Food City and adjacent strip center from M-2 to B-3.

Bob Morrison and State Street
- Proposed changing tract behind Food City to M-1 to Newton Street to match adjoining property, however the Commission asked if that property could not be FRD District since the Comp Plan recommends mixed uses for that area. (Note: See P. 72 of Plan)
- Maintain M-2 for tract beside RR and RR property and adjust M-2 for all of Omni Source property
- Extend B-3 to McNeil St. block in conformity with Comp Plan

Euclid Avenue
- Change tracts on south side of Euclid Avenue between Division Street and Douglas St. from M-2 to B-3 to match adjoining tracts.
- Shift M-1 boundary to include all of Airgas property on Lawrence
- Change tracts in triangle between Norway, Newton and Douglas Street from B-3 to B-1 for more appropriate zone.

Division Street and Wagner Street
- Extend M-1 tract at Wagner Street and Randolph Street to match property ownership and use
- Change frontage of Randolph Field Complex on Euclid Avenue to match M-1 of rest of property.
Ms. Morgan reported that the next Work Session would be for Work Area 2 – from Commonwealth Avenue to MLK Boulevard/Lee Highway.

III. Adjournment

The work session adjourned at 1:26 pm.
AGENDA ITEM WORDDING:

Consideration of Zoning Map Amendment (Rezoning) Application from Long Crescent LLC for Tax Map #221-A-2, 221-A-3, and 261-A-6A from R-1A to B-3

ITEM BACKGROUND:
An application was received on July 16 for a request for a map amendment of three tracts of land along Long Crescent Road owned by Long Crescent LLC from R-1A (Single-Family Residential) to B-3 (Intermediate Business). The property is currently undeveloped and the applicant/property owner is proposing a campground and RV park which comes under the term of overnight recreational development. The desired use of the property is only allowed by right in a B-3 (Intermediate Business) or an A (Agricultural) zoning district.

The Planning Commission voted at its August 19 meeting to forward the application to City Council for a joint public hearing. A joint public hearing with the Planning Commission and City Council was held on September 10, 2019 in which public comments were taken on the application.

The city staff has followed state code requirements in considering the request and has prepared a staff report with conclusions and a recommendation on the matter. The report is included in the meeting packet.

The Planning Commission is responsible for considering the request and making a recommendation to the City Council. The Planning Commission could vote to recommend approval, to recommend denial, or to table if more information is requested.

The recommendation for approval or denial from the Planning Commission is sent forward to the City Council which will need to either approve or deny the request. If approved, there will be two readings because a zoning map amendment is the same as an ordinance change.

STAFF RECOMMENDATION:

Staff recommends approval of the request (with reasons contained in the staff report).
FINAL STAFF REPORT
Updated from Preliminary Staff Report

To: Bristol, VA Planning Commission
By: Sally Morgan, City Planner
Date: September 12, 2019

I MEETING DATE: Monday, September 16, 2019

II REQUEST:

a. Proposal: The petitioner proposes amending the City of Bristol Zoning Map, to change new Map Parcels 221-A-2, 221-A-3, and 261-A-6A from R-1A (Single Family Residence) zoning to B-3 (Intermediate Business)

b. Proposed Use: Overnight Recreational Development (Campground/RV Park/Cabins)

c. Location: Long Crescent Road, Map Parcels # 221-A-2, 221-A-3, and 261-A-6A

d. Owner: Long Crescent LLC

e. Applicant: same as Owner

III PROCESS:
Pursuant to Bristol City Code (BCC) §50-61, an applicant must present a request to the Planning Commission Director to be heard by the Planning Commission and City Council. This item will first be considered by the Planning Commission at a regularly scheduled meeting. Following its review, a joint public hearing will be held with City Council in accordance with Virginia State Statute §15.2-2204. This meeting shall also require notice be provided to adjoining property owners and to the adjoining locality of Washington County pursuant to Virginia State Statute §15.2-2204 as well as advertised twice in the newspaper.

The Planning Commission voted on August 19, 2019 to forward the application to the City Council for a Joint Public Hearing. The Joint Public Hearing was held on September 10, 2019.

IV PRIOR CITY ACTIONS:
There has been no previous similar zoning map amendment requests for this property to the knowledge of current city staff. The City Council adopted on July 9, 2019 a new section of city code 50-177 for Overnight Recreational Development and changes to Section 50-109 to allow this type of development as a permitted use in a B-3 zone.
V BACKGROUND INFORMATION:

a. Existing Land Use: Undeveloped and vacant
b. Existing Zoning Designation: R-1A (Single-Family Residential)
c. Future Land Use Map Designation: Regional Commercial
d. Size of Site: 3 parcels, 19 acres
e. Historic Land Use: Agricultural, Wooded, Mobile Home Park was located on northeast corner of property (up until mid-2000s)
f. Existing Vegetation: Trees and brush
g. Property Location Map and Aerial View of Property
h. Photos of Property

Looking to southwest from Long Crescent Drive. Woodmen Building in left foreground.

Panorama shot looking south from Interstate right of way, showing entrance to property
View from other side of Interstate showing powerline easement and nearest residence at 1737 Long Crescent Road

View of roadway going south toward Meadow Drive and residence at 1736 Long Crescent Road
View taken on subject property looking south

View taken on subject property looking west
j. Legal Property Description
The property is legally described by a boundary survey prepared by John Rasnick. The survey shows 17.89 acres not including an approximately 1 acre tract that was added to the purchase when the property was bought by the current owner in 2018. The tax parcel maps include this tract as part of Tax Map No. 221-A-2 and it is included in the rezoning request.
VI APPLICATION:
The applicant has submitted a zoning map amendment application and an application fee to the City. The applicant proposes to rezone the tract from the current R-1A residential zoning to B-3 business zone to be able to develop an overnight recreational development that would accommodate tent camping, recreational vehicles, and overnight cabins. A concept plan was submitted with the application which is attached to this staff report, and the applicant is working with a consulting engineer to develop more detailed plans.

VII. PROPERTY DESCRIPTION AND COMMUNITY CHARACTER OF IMMEDIATE VICINITY:
The subject property consists of three adjoining parcels – two of which have a combined estimated 1,900 linear feet of road frontage on Long Crescent Road. The third parcel adjoins both of the larger parcels on the southern side of the property. The property is now heavily vegetated with trees and shrubbery, however it appears from historical aerial photos that a significant portion of the largest tract was cleared pastureland up until the mid-2000s. There was a barn on the property that also confirms the earlier agricultural use of the land. The property was owned by the E. L. Byington family prior to its ownership by Highlands Union Bank and subsequent conveyance to the current owner and applicant in August 2018.

The land is immediately south of Interstate 81 and is accessed from Exit 5 via Lee Highway (U.S. Route 11) and Long Crescent Road. The subject property slopes upward from the northeastern corner of the property to the south and southwest. The highest point on the southern edge of the property is 2,030 feet in elevation as compared to the lowest point at about 1,810 at the northeastern edge, resulting in an increase of about 220 feet in slope. The map below shows the contours.
There is no evidence of any previous development on the property or any knowledge of development proposals in the past.

Vehicular access to the subject property is from Long Crescent Road which parallels Interstate 81 on the front of the property. There are currently two entrances into the property on the northern side, including one at the location of the former mobile home park. That entrance is about 4,000 feet from the intersection with Lee Highway (Route 11). The other entrance is about 150 feet to the east from this entrance.

Long Crescent Road is a two-lane paved city street with pavement width of about 22 feet for most of the frontage, but that width narrows down to about 18 feet or less on the uphill western side of the property. Long Crescent Road provides access to the Taylor TV shop, Kingsway Baptist Church, and the Woodmen Family Activity Center. Its intersection at Lee Highway is not signalized.

A 16-inch public water line with adequate pressure is available along the roadway and the closest fire hydrant is at the entrance of the Kingsway Baptist Church. There is no public sewer serving this property which has no doubt limited its development. The closest sewer line is about 1,750 feet away at the Briarwood subdivision (Lawndale Drive). There are two BVU overhead electric lines that cross the property. The aerial photo on Page 2 shows the path of the lines by the vegetation cut.

The existing uses bordering the subject tract are semi-public (Woodmen Center) and woodland on the east, large lot single-family residential on the south, and woodland, undeveloped land to the west across Long Crescent. Of course, the Interstate lies to the immediate north. Across I-81 is a mixture of low-density residential development and undeveloped property. The property has substantial visibility from the Interstate. Visibility of the property is limited from the south side to the slope of the property and existing vegetation.

VIII. LAND USE AND ZONING HISTORY:
The original zoning of this area was done under the Washington County Zoning Ordinance before it was annexed into the City in 1974. The oldest city zoning map in our offices (un-dated but from the 1970’s following annexation of this area) shows the subject property as being zoned R-1A, except for a small part on the northern edge along the road frontage that was zoned B-3. Subsequent zoning maps including the current one show that most of that business-zoned frontage is now part of the VDOT right of way for the Interstate and city right-of-way for Long Crescent.

As mentioned previously, the property proposed for rezoning has never been developed and has been used only for agricultural purposes, except for the mobile home park that existed up until the 1990’s on the one-acre piece in the northeastern corner. We have been unable to find any records from the county or city health department on the mobile home park.

IX. LEGISLATIVE AUTHORITY AND PROCESS FOR ZONING MAP AMENDMENTS
Section 50-44 of the City Code and Section 15.2-2285 and 15.2286 of the Code of Virginia, as amended, allow for a process to amend the zoning ordinance including zoning map amendments. Code of Virginia Section 15.2286 (7) states that the governing body may amend the regulations,
district boundaries, or classifications of property due to “public necessity, convenience, general welfare, or good zoning practice.”

VA Code Section 15.2-2284 states that the drawing of a zoning map (and changes thereof) shall be done “with reasonable consideration given to the existing use and character of property, the comprehensive plan, the suitability of property for various uses, the trends of growth or change, the current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies, the transportation requirements of the community, the requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services, the conservation of natural resources, the preservation of flood plains, the protection of life and property from impounding structure failures, the preservation of agricultural and forestal land, the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the locality.”

X. STAFF ANALYSIS
The following sections of the report provide staff analysis for these issues:

(a) **Compatibility with Neighboring Land Uses and Effects on Community Character:**
The subject property is bordered on the south by single-family homes at the top of Long Crescent Road as it goes over the ridge and back down toward Meadow Drive and Virginia Heights/Spring Garden neighborhood. The concept layout of the recreational development shows the closest cabin site to be approximately 50 feet to the southern boundary line. The closest house to that boundary line (1737 Long Crescent Dr.) is about 120 feet from the rear property line. There is another dwelling (1736 Long Crescent Dr.) that is across the street but within about 130 feet of the subject property. A third house which sits on the top of the hill above the property at 2,100 feet in elevation is located over 300 feet from the property line.

Due to current vegetation and slope, visibility of the adjoining subject property is limited. Clearing and cutting the vegetation would increase the visibility, but the slope would still provide some barrier to viewing activity on the subject property from the residences. The other adjoining land uses which border the east side are semi-public assembly uses – the Woodman Family Center and the Kingsway Baptist Church. Commercial B-3 zoning would be compatible with these uses.

(b) **B-3 Zone Characteristics and Description:** Although the applicant is proposing the use of the property for a campground and RV park, a zoning map amendment, if approved, would allow any use permitted by right in the B-3 zone. Pursuant to BCC §50-72(11), the purpose of the B-3 District is to “provide a place for business uses that do not require a central location. It shall provide areas for development of retail and personal service commercial, community and regional shopping centers of integrated design and high-density development of commercial businesses in certain areas adjacent to major transportation arteries or thoroughfares within the city.”
Pursuant to BCC §50-109, permitted (“as-of-right”) uses in B-3 are:

(1) Bank
(2) Barbershop or beauty parlor.
(3) Church.
4) Day care center for adults.
(5) Decorator’s shop.
(6) Laundry establishments.
(7) Coin-operated laundry establishments.
(8) Automobile service station.
(9) Automobile service center.
(10) Indoor restaurants.
(11) Dry cleaning establishments.
(12) Car or truck wash (manual or automatic).
(13) Automobile sales and services, not to include heavy repairs.
(14) Bus terminals.
(15) Hotels.
(16) Motor hotels.
(17) Indoor theaters.
(18) Manufacture of articles to be sold at retail on the premises, provided such manufacturing is incidental to the retail business and employs not more than five operators.
(19) Newspaper offices.
(20) Offices and studios.
(21) Parking lots.
(22) Parking garages.
(23) Places of amusement.
(24) Printing and engraving establishments.
(25) Public buildings and public or private utilities.
(26) Public or private clubs.
(27) Retail businesses.
(28) Radio and TV stations.
(29) Wholesale businesses, not to include warehouses.
(30) Signs utilizing a constant, uninterrupted source of light advertising a use conducted on the premises.
(31) Animal clinics without outside kennels.
(32) Clinics.
(33) Drive-in restaurants.
(34) Drive-in theaters.
(35) Funeral homes.
(36) Child care centers.
(37) Motels and motor hotels.
(38) Used car lots.
(39) Public or private health clubs.
(40) Body piercing salon.
(41) Body piercing school.
(42) Tattoo parlor.
The B-3 district has no minimum lot size. Setbacks required are: 10’ front, 20’ rear yard, and 10’ side yard if adjoining a residential district. The B-3 zone is designed for highway-oriented and more intensive commercial land uses as opposed to the other two business districts (B-2 which is downtown business district and B-1 which is neighborhood commercial for less intensive business uses). An overnight recreational development is only allowed by right in the B-3 and A zones and is subject to the standards adopted in city code Section 50-177.

(c) **Development Potential:** Pursuant to BCC §50-72 (2), the purpose of the existing R-1A district (single family residential) is “to protect single-family uses in protected areas of established development. This district applies only to lots of record as of the date of adoption of the ordinance from which this article was derived where the minimum lot size shall not be less than 15,000 square feet.”

Although there are single-family homes on large lots adjoining the subject property to the south, the location immediately next to Interstate 81 may not be conducive to the expansion of single-family residential development. The property has been vacant for many years with no expansion of residential use proposed. Also, it should be considered whether this area needs to continue to be zoned residential for the purpose of “protecting areas of established development.” The sloped terrain provides somewhat of a natural separation between the established neighborhood to the south and the Interstate and business-oriented uses near Exit 5.

Easy access and proximity to Interstate 81 and visibility from the highway are features that make the subject property appropriate for commercial development. The 19-acre tract is large enough to accommodate a commercial business or even multiple businesses. The site does have a significant amount of street frontage, although the Long Crescent Road access is only suitable for commercial traffic coming from the east direction due to the narrowing of the roadway as it goes southward. Commercial access from this direction would not be appropriate.

The location more than 4,000 feet from U.S. 11 and Exit 5 will likely limit its potential for some of the permitted uses in the B-3 zone. For example, a restaurant or convenience store would likely need to locate on a roadway with much higher traffic counts, however an office building or wholesale business may be more appropriate for this location. The proposed use of the property as an overnight recreational development for camping would appear to be less intensive than other potential commercial uses.

(d) **Consistency with the 2017 Adopted City Comprehensive Plan:** The 2017 City Comprehensive Plan addresses future commercial development in the Exit 5 and 7 areas and encourages continued efforts to grow that area into the premier shopping destination within the Tri-Cities area. (Page 53, Objective #3). Objective #4 on the same page addresses aesthetics and design of commercial areas with strategy 4(G): “Encourage the transition and
redevelopment of incompatible land use arrangements, as identified on the Land Use Map, into more compatible land use arrangements” (p. 53).

The Future Land Use map (updated and revised in 2019) shows the subject property as “Regional Commercial.” This land use designation is to encourage establishments that “draw from a regional consumer traveling along I-81,” as opposed to the “Local Commercial” land use category that is “intended to provide daily goods and services conveniently to nearby neighborhoods (P. 33).

Due to its proximity to the Interstate, most of the area along Long Crescent Road up to where the roadway narrows is designated Regional Commercial. The ridge south of the road frontage property provides a relatively substantial barrier to further commercial development, and serves as a natural buffer between the proposed commercial site and the low density Virginia Heights neighborhood to the south.

(e) Impacts

Local Traffic: The proposed use of the property for an overnight recreational development, as defined in city code, will increase the level of traffic on Long Crescent Road. It is difficult to estimate the amount of traffic based only on the concept plan that has been submitted, however the city transportation planner used the number of campsites and cabins depicted and the available trip generation data to provide at least a preliminary estimate. Average estimated weekday morning trips would be 26 (13 entering and 13 exiting) and average estimated weekday afternoon trips would be 40 (20 entering and 20 exiting).

Traffic volume is not anticipated to be a problem as this road is not heavily travelled, however there are two other traffic concerns due to the size of vehicles associated with an RV park. There would be a negative impact on the roadway and neighborhood if heavy vehicles use Long Crescent Road going west from the property entrance due to the narrowness and slope of the roadway in that direction. Also, vehicles leaving the site and
traveling eastbound to Lee Highway may have difficulty turning left because of heavy traffic on Lee Highway and multiple driveway entrances.

Once a more detailed site plan is submitted to the City, a traffic study could be required by the city Engineering Department if there are concerns about negative impacts on the roadway and the service level of the intersection at Lee Highway or the City may require certain signage to direct traffic and increase safety.

**Natural Resources:** There should be no adverse impacts on natural resources if the proposed rezoning is allowed. City staff will require all environmental-related permitting to be obtained and approved prior to development, including soil and erosion control and storm water management. All design standards found in city code section 50-177 will need to be adhered to, including adequate buffer with adjoining property. Landscaping plans will need to be submitted during the site plan review process and the Planning Commission can have input and approval of landscaping as provided for in Bristol City Code §50-40. Connection to public sewer will be required for commercial development of this property. Any septic tanks and drain lines that existing for the mobile home park will need to be properly and safely removed or destroyed.

**Public Facilities:**

**School System.** The proposed map amendment will not impact the local school system.

**Parks and Recreation.** The proposed map amendment will not impact the local parks and recreation facilities and services.

**Emergency Services.** The proposed amendment does not present additional issues for law enforcement, or other emergency services, except for fire protection. The Fire Marshal has reported that there will need to be a fire hydrant installed as the distance between fire hydrants at this location is over 2,000 feet.

**Water, Wastewater, and Electrical Utilities.** In addition to the fire hydrant, the applicant or developer of the property will need to pay the cost of extending sanitary sewer to serve the proposed project. This could likely involve having to obtain easements on nearby private property, although there may be opportunities for joint participation in the cost by those landowners if they are interested. Utility plans will be reviewed by BVU and city engineering staff in the site plan process. Neither the city nor BVU has agreed to pay the cost of extending sewer to the property.

**Public Transit.** Rezoning of this property for commercial use will not adversely impact transit resources. The city bus service presently serves the Exit 5 area but does not serve Long Crescent Road.

**Government Services.** The map amendment will have a negligible impact on the provision of other government services. Garbage collection services will be addressed during the site plan review process.
X. CONCLUSION AND RECOMMENDATION

VA Code Section 15.2-2284 provides the factors that shall be given reasonable consideration when determining zoning district boundaries:

**Existing use and character of property** – The existing use of the property is undeveloped and it has development potential due to its proximity to and its visibility from the Interstate.

**Comprehensive Plan** - The city’s Comprehensive Plan adopted in 2017 is a document with a 10 to 20 year future outlook that has both written policy objectives and maps. The Plan anticipates and encourages additional commercial development in the Exit 5 area due to the Falls development. The Plan does state (p. 39) that the city’s neighborhoods should be safeguarded from “incompatible industrial or commercial uses” and mentions adequate screening and buffering between residential neighborhoods and more intense uses. The Future Land Use map in the Comp Plan (updated and revised in 2019) shows the subject property as “Regional Commercial” due to access and visibility to the Interstate.

**Suitability of property for various uses** – The property could be suitable for residential development, however the hilly terrain and proximity of the noise from Interstate traffic would not likely attract a major investment in a single-family residential development on the subject property. The property would be suitable for commercial development that would place an emphasis on Interstate visibility over a high traffic count immediately in front of the property. We believe that previous interest in the development of the property has been stymied due to the lack of public sewer.

**Trends of growth and change** - The last 5 years have seen substantial changes in the Exit 5 area with Lee Highway improvements and the Falls development. Tourism to the area has also increased with the growth of Rhythm and Roots Festival, the Mendota Trail, the Birthplace of Country Music Museum, and other area attractions. As far as the demand for single-family residential development, there have been no new subdivisions in the city in the last five years, except the thirteen lots approved for townhomes in the Wildflower Ridge development. Recent development interest in other areas of the city has been for multi-family housing due to changing demands, although no projects have materialized. The largest increase in housing units in the last five years has been in downtown loft apartments.

**Current and future requirements of the community as to land for various purposes as determined by population and economic studies and other studies** - There are no relevant studies to consider.

**Transportation requirements of the community** – The proposed rezoning is projected to increase the volume of traffic on Long Crescent Road, however that would be the case for residential development. The proposed use of the property or other typical commercial uses would likely generate less traffic than a residential subdivision. The
city can require in the site plan review stage of any project that the entrance be designed to restrict traffic from travelling west up the hill toward the residential neighborhood with a “right-only” exit and appropriate signage.

Requirements for airports, housing, schools, parks, playgrounds, recreation areas and other public services – In evaluating land available in the city for housing, there are numerous other undeveloped tracts that are zoned for single-family residential (R-1 and R-1A). There are six tracts/sites larger than eight acres zoned R-1A with a total of 82 acres in those tracts.

Conservation of natural resources – Environmental permitting will be required with any development of property, as explained on Page 13.

Preservation of flood plains – The subject property is not in the flood zone.

Protection of life and property from impounding structure failures – Not applicable.

Preservation of agricultural and forestal land – This is not a specified objective of the Comprehensive Plan, however the Plan does recommend minimizing the impact of development on wetlands, ponds, and mature trees.

Conservation of properties and their values – The rezoning of the property for commercial use is not anticipated to negatively impact property values of the Spring Garden neighborhood because of distance and topography. The property is adjoining the Interstate at a significant distance from the homes, except the three that immediately adjoin the property. A qualified real estate appraiser was contacted and has provided an opinion that the proposed rezoning to B-3 would not decrease residential property values in the area. Section 50-40 of City Code does require screening of any new commercial development which abuts residential property.

Encouragement of the most appropriate use of land throughout the locality – The property adjoins the Interstate and is in close proximity to Exit 5 and to existing commercial structures. The zoning boundary would extend the existing B-3 zone already along Long Crescent Road to include this additional site. This section of roadway was constructed as a frontage road sometime after the Interstate was built. We believe the road was never intended for increased traffic going in the southerly direction but as an access from Lee Highway to parcels along I-81.

Based on this analysis, it is the staff recommendation to approve the rezoning request.
BRISTOL, VIRGINIA PLANNING COMMISSION
AGENDA ITEM SUMMARY

Meeting Date: September 16, 2019                Department: Planning/Community Development
Bulk Item: Yes _ No X                            Staff Contact: Sally Morgan, City Planner

AGENDA ITEM WORDING:
Update on Revised Zoning Ordinance Project – Possible Work Session with City Council on draft revisions, and next Work Session on zoning maps to review

ITEM BACKGROUND:
As requested by the Planning Commission, the City Council was provided a copy of the Revised Zoning Ordinance draft in July. City staff made an overview presentation of the document at the September 10 Council Meeting. The Council requested that we consider scheduling a Joint Work Session with the Planning Commission.

Staff also requests that the Commission schedule the next work session to go over existing zoning maps and possible updates for Work Area #2 (Commonwealth Ave. to Lee Highway).

PREVIOUS RELEVANT ACTION:
Not applicable.

STAFF RECOMMENDATION:
For information and discussion.