

STAFF PERSON:
BOARD OF SUPERVISORS:

Megan Nedostup
TBD

Staff Report for Special Exception to modify the buffer along Southern Parkway for a right turn egress only accessway

VARIATIONS FROM APPROVED PLANS, CODES, AND STANDARDS OF DEVELOPMENT

The variation request has been reviewed for zoning and planning aspects of the regulations. Variations are considered by the Board of Supervisors as a Special Exception under County Code §§ 18-33.43 through 18-33.54. Staff analysis under County Code § 18-8.5.5.3(c) is provided below.

The applicant is requesting to modify and remove a portion of the ten (10) foot buffer along Southern Parkway to allow for a right turn egress only accessway. As stated in the special use permit report (SP20180004 Peabody School), the buffer was reduced from 60 feet to 10 feet during the last special use permit request. During the review of the last special use permit, staff could not determine the purpose of establishment of the buffer that occurred during the rezoning and determined that it was voluntarily established and was not a requirement of the zoning or prior legislative approval.

1) The variation is consistent with the goals and objectives of the comprehensive plan.

As stated in the special use permit report the property is designated as Industrial Service and the school use was reviewed and approved under prior special use permits. The minor encroachment into the buffer will not impact the goal of having separation between residential and commercial uses. The proposed accessway through the buffer will improve traffic circulation and safety both on-site and on the adjacent streets. Staff believes the variation is consistent with the goals and objectives of the comprehensive plan.

2) The variation does not increase the approved development density or intensity of development.

No increase in density is requested, as this is a commercial use. The intensity of the school will not increase with the encroachment of the buffer.

3) The variation does not adversely affect the timing and phasing of development of any other development in the zoning district.

The timing and phasing of the development is unaffected.

4) The variation does not require a special use permit.

A special use permit is not required.

5) The variation is in general accord with the purpose and intent of the approved rezoning application.

As stated in the special use permit report and above, this buffer was voluntarily established during the rezoning and staff has not found a significant purpose for the buffer. In addition, the buffer was reduced from 60 feet to 10 feet during the approval of the 2012 special use permit. This variation is in general accord with the purpose and intent of the approved rezoning application.

Staff recommends approval of this request.