

Agenda Item #5

VA-2024-11

Freeman Investments, LLC, 3880 Bemiss Rd.
Rezone 1.89 acres from R-P to C-N

Mr. Martin presented the case in which the applicant is requesting to rezone 1.89 acres from Residential Professional (R-P) to Neighborhood Commercial (C-N). The subject property is located at 3880 Bemiss Road, which is an undeveloped landlocked parcel (vacant field) located diagonally behind the applicant's place of business (Freeman Electrical Contractors) at 3886 Bemiss Road. This property is also immediately to the west of the single-residences fronting the west side of Edinburg Circle cul-de-sac in The Highlands subdivision. The applicant is proposing to construct a commercial accessory building on the property, and/or combine it with adjacent commercial property for possible marketing purposes.

The subject property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-N zoning.

The subject property is a remnant undeveloped piece of land from about 20 years ago when The Highlands subdivision was developed. It was never intended to be developed as part of the neighborhood, and was eventually forfeited by the original developers in 2012. The applicant later acquired the property in 2019 as investment or in hopes of later developing it themselves. However, as a landlocked parcel with no street frontage, it must be combined with other adjacent properties having frontage, in order to be developed. The applicant is the owner of the commercially-zoned properties to the north, and therefore has the ability to make this parcel developable as part of their own.

R-P zoning allows professional offices and all forms of residential usage, including multi-family apartments up to 18 dwelling units per acre (up to 34 units on 1.89 acres). Because the applicant is desiring to develop this property commercially, they are seeking the rezoning to C-N, which is the most intensive zoning allowable for a landlocked parcel in the NAC character area. C-N allows general retail and light forms of commercial, as well as offices, but does not allow multi-family apartments.

The subject property is irregularly shaped and fairly isolated from any form of development, except maybe that which is associated with development along Bemiss Road. Roadway connection to the abutting neighborhood to the east is highly unfeasible, and therefore the only logical scenario is for it to eventually be included as part of the adjacent properties oriented toward Bemiss Road, which will likely be developed commercially. Having the lighter intensity C-N zoning (instead of C-C or C-H) will help serve as a buffer/transition to The Highlands subdivision from future commercially developed properties along Bemiss.