



## Waynesboro City Council Agenda Briefing

<b>Meeting Date:</b>	October 11, 2023	<b>Staff/Council Member(s):</b> Leslie Tate, Director of Community Development Alisande Tombarge, City Planner
<b>Agenda Item #</b>	11	
<b>Ordinance#</b>	2023-	
<b>Department:</b>	Community Development	
<b>Subject:</b>	An application by Draft Building Company to amend the proffers included as part of the approved rezoning application #R-01-2 and Ordinance 2001-53, for a property on Lew Dewitt Boulevard, Waynesboro, Virginia, City Tax Map numbers 40-3-115C and 40-3-115A	
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Planning Commission Recommendation</li> <li>2. Draft Ordinance</li> <li>3. Proffer letter signed September 22, 2023</li> <li>4. Staff report dated September 19, 2023, and revised October 11, 2023, with attachments.</li> </ol>	
<b>Planning Commission Recommendation:</b>	The Planning Commission recommends approval of the proffer amendment on a 5-0 vote.	

### Background:

The applicant has requested an amendment to the proffers that were agreed to as part of the rezoning of the subject property that occurred in 2001 from residential to commercial. 7 proffers were adopted as part of that rezoning and the applicant has requested to rescind those 7 proffers and replace them with two new ones.

Since this rezoning was approved, the Lew Dewitt Boulevard commercial area has seen significant development, and most of that development has not been similar to the design standards and restrictions that the applicant proffered as part of the rezoning in 2001. In, or around, 2004 or 2005, many of the parcels along Lew Dewitt Boulevard were rezoned to C-2 (changed to H-B (Highway Business) with the zoning ordinance rewrite in 2011). Since this rezoning, much of the commercial development throughout that corridor has been more of a traditional variety that includes larger “big-box” stores such as Lowe’s, strip mall style development, office buildings, and restaurants. The applicant has requested the proffers be amended because of how the corridor has developed since the rezoning was approved in 2001, and that the restrictions the current proffers place on the property have made it difficult to sell for commercial development.

### Planning Commission Recommendation:

The Planning Commission recommends approval of the proffer amendment on a 5-0 vote.

**City Manager's Recommendation:**

The City Manager recommends approving the application as recommended by the Planning Commission. A public hearing for this request will be held at the ordinance's second reading at Council's October 23, 2023, meeting.

**Suggested Motion(s):**

Introduce the draft Ordinance as provided in Attachment #2