

**REZONING 6-00 and SPECIAL USE PERMIT-28-00. Loulynn Acres - Chesapeake Park
Staff Report for July 10, 2001, Board of Supervisors Public Hearing**

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PUBLIC HEARINGS

Building C Board Room; County Government Complex
Planning Commission: March 5, 2001, Applicant deferred. April 2, 2001, Commission deferred.
May 7, 2001, Applicant deferred. June 4, 2001 - 7:00 p.m.
Board of Supervisors: July 10, 2001, 7:00 p.m.

SUMMARY FACTS

Applicant: Mr. Vernon Geddy, III
Land Owner: Loulynn Acres Associates

Proposed Use: The applicant has requested the Board rezone a portion of the property (approximately 1.9 acres) to B-1, General Business, to allow for a bank. A special use permit is also requested because the proposed bank would generate more than 100 peak hour vehicle trips. A Commercial Special Use Permit is required for any use which generates 100 or more peak hour trips. When this application was originally submitted, the proposal was to rezone the entire property and provide for up to 24,000 square feet of future unknown B-1 uses. However, following the May 7, 2001, Planning Commission meeting, the applicant amended the applications to those currently before you.

Location: 8909 Barhamsville Road, at the corner of Route 30 (Rochambeau Road) and Old Stage Road. Across the street from the Stonehouse Commerce Park and adjacent to the Burnham Woods subdivision.

Tax Map and Parcel No.: (12-1)(1-3A)

Primary Service Area: Inside

Parcel Size: Approximately 9.89 acres. The portion to be rezoned is approximately 1.9 acres.

Existing Zoning: A-1, General Agricultural

Proposed Zoning: B-1, General Business, with proffers (portion)

Comprehensive Plan: Mixed Use

Surrounding Zoning: Across Route 30 is the Stonehouse Commerce Park which is zoned PUD-C. Property to the north is vacant and is zoned A-1. Property to the west is the Burnham Woods subdivision, an A-1 zoned development consisting of 46 lots. To the south is scattered single-family housing all on property zoned A-1.

Staff Contact: Paul D. Holt, III - Phone: 253-6685

STAFF RECOMMENDATION:

Staff does not find the proposal consistent with the Comprehensive Plan recommendations. Therefore, staff recommends denial of the applications. On June 4, 2001, believing that impacts were mitigated, the Planning Commission recommended approval of the applications by a vote of 6-0.

Description of the Project

Proposed is a partial rezoning of the property to allow for a bank. A special use permit is also requested because the proposed bank would generate more than 100 peak hour vehicle trips. A Commercial Special Use Permit is required for any use which generates 100 or more peak hour trips. When this application was originally submitted, the proposal was to rezone the entire property and provide for up to 24,000 square feet of future unknown B-1 uses. However, following the May 7, 2001, Planning Commission meeting, the application amended the applications to those currently before you.

The bank, which includes a drive thru, would be one story tall and approximately 3,200 square feet in size. Stormwater management would be handled on-site and only to meet the banks needs.

Anticipating adjacent property owner concerns, the developer held two meetings with area residents to discuss the project. These meetings were held at the Norge Library and the applicant discussed the proposal with attendees and inquired as to concerns over possible uses and site development. The Master Plan was revised several times as a result of those meetings.

In support of his application, the owner has proffered:

- S the installation of landscaped berms on the back portion of the site, to aid in screening the site;
- S the construction of both right- and left-hand turn lanes on Route 30;
- S access easements whereby development on the remaining portion of the property can access Route 30 through the bank property and the improved intersection;
- S an archaeological study for the property;
- S the installation of enhanced landscaping along Route 30; and
- S aesthetic limitations on exterior lighting.

Traffic Generation

Existing Traffic

The property fronts on Barhamsville Road (Route 30) and Old Stage Road. This portion of Barhamsville Road is a four lane, median divided facility with a 55 mph speed limit. Old Stage Road is a narrow two lane road.

The portion of Route 30 in front of the site currently experiences 418 a.m. peak hour trips daily northbound and 568 a.m. peak hour trips daily southbound. In the p.m., there are 638 peak hour trips daily northbound and 537 peak hour trips daily southbound. These volumes are far below road capacity. Turning movements at Route 30 and LaGrange Parkway operate at either a Level of Service (LOS) A or B.

The portion of Old Stage Road at the site currently experiences 53 a.m. peak hour trips daily eastbound and 56 a.m. peak hour trips daily westbound. In the p.m., there are 49 peak hour trips daily eastbound and 73 peak hour trips daily westbound. Turning movements at Route 30 and Old Stage Road operate at either a LOS A or B.

Future Traffic Conditions without development of the site

In 2010, without development of this site as proposed, Levels of Service for turning movements at LaGrange Parkway and Old Stage Road would continue to operate at a LOS A or B.

Anticipated Traffic Generation from the development

The traffic study submitted for this project assumes site development consisting of the bank, a high turnover type restaurant, and office buildings - even though the restaurant and offices are not part of the application. Such a configuration yields an additional 155 a.m. peak hour vehicle trips and 268 p.m. peak hour vehicle trips. The restaurant and office uses are used as hypothetical uses to determine traffic generation from the build out of the entire parcel. The bank itself would generate 71 a.m. peak hour vehicle trips and 190 p.m. peak hour trips.

Future Traffic Conditions with development of the site

To accommodate the project traffic generation, a right-hand turn lane leading into the project would need to be constructed on the southbound lane of Route 30 at the LaGrange Parkway intersection. A left-hand turn lane at the LaGrange Parkway intersection would also need to be constructed.

According to the traffic study, in 2010 with development of the site and with the turn lane improvements noted, the LaGrange Parkway and Old Stage Road intersections will continue to operate at a LOS A or B. That is, there will be no negative impacts on the turning movements at these intersections due to the proposed development.

The Virginia Department of Transportation (VDOT) has reviewed the traffic study and finds it generally acceptable. Staff has reviewed the technical merits of the traffic study and find them generally acceptable, although the underlying assumptions of uses going on this property are flawed since future build out of the site is unknown at this time. This has the potential to greatly alter trip generation and internal circulation.

On a side note, as development of the Stonehouse Commerce Park continues, Stonehouse is required by proffer to install a traffic signal at the LaGrange Parkway/Route 30 interchange, when warranted.

Surrounding Zoning and Development

North of this site is vacant land zoned A-1, General Agricultural. To the west of this site is the Burnham Woods subdivision, a low density subdivision of 46 lots, all on property zoned A-1, General Agricultural. To the south of this site are scattered single-family homes on A-1 zoned property. Across Route 30 is the Stonehouse Commerce Park zoned Planned Unit Development, Commercial (PUD-C).

With the proposed SUP conditions and with the proffered mitigating impacts, staff believes the bank would be compatible with adjoining uses and zoning. However, a larger question arises concerning the development of the remainder of the parcel (approximately eight acres). Although future uses may require a rezoning and special use permit, the bank site, if approved, would exist primarily as an independent entity. By not master planning the entire site, inclusive of the bank, opportunities may be lost (such as shared stormwater management facilities and shared parking) to assure that impacts of future development will be mitigated to the greatest extent possible and would be designed best to meet Comprehensive Plan recommendations.

Staff believes a development supported by the Comprehensive Plan (see discussion below) would be more compatible with adjacent development and zoning, and provide for a more compatible transitional use. Staff believes that lot by lot development (i.e., piece-meal) is not best suited in the long run.

Utilities

Public utilities are currently located adjacent to the site and would be used by the developers. Connections to an existing 20-inch HRSD force main and an existing 16-inch JCSA water main would be made. As shown on the master plan, these lines would run through the site and “stub” connections would be provided at the cul-de-sac of Highfield Drive. Currently, there is no public water available to the Burnham Woods subdivision and, although there are no current plans to construct and connect water lines to the existing homes, the availability of the stub connections would facilitate these future improvements. The subdivision is located inside the Primary Service Area and is designated Low Density Residential on the Comprehensive Plan Land Use Map.

Comprehensive Plan

The Comprehensive Plan Land Use Map designates this property as Mixed Use. The Comprehensive Plan document states that the Stonehouse Mixed Use Area should be developed principally with light industrial and office uses. Commercial uses should be clearly secondary in nature. Prior to the 1991 Comprehensive Plan Update, this site was designated Low Density Residential. At the request of the property owner, the site was added to the Stonehouse Mixed Use Area designation. In doing so, the Board of Supervisors added very specific language to the Plan stating that commercial uses should not be developed in a “strip” fashion, but rather should be internally oriented with no driveway access to Route 30.

Furthermore, the Board of Supervisors added language stating that development in the Mixed Use area should emphasize shared access and parking, consistent treatment for landscaping and architecture, and the preservation of environmental and cultural resources. Staff finds that the developer’s revised proposal is not consistent with the Comprehensive Plan language because:

1. the bank is a commercial use, not consistent with the light industrial or office uses primarily recommended;
2. the proposal to rezone only a portion of the site and construct the bank individually further encourages “strip development” of the remaining portions of the site, does not promote shared parking, shared BMP’s, and no provisions have been offered regarding consistent treatment for landscaping and architecture of future development (a good example of office development which is not strip development, but is rather internally oriented, is the Norge Office Park);
3. access is proposed to Route 30, which is specifically not recommended. No provision has been made to meet Comprehensive Plan recommendations to access Old Stage Road and the current design sets the stage for further driveway connection requests to Route 30; and
4. the proposed parking at the front of the building is not recommended along Community Character Corridors, as this portion of Route 30 is designated.

These are clear contradictions to the plan. Regarding development of this site in a strip fashion, staff firmly believes that this site should be developed in an innovative manner, consisting of clustered buildings with shared access and parking with vehicular access coming from Old Stage Road. Staff feels that such a layout would be more compatible with surrounding development and zoning.

In addition, this portion of Route 30 is designated a Community Character Corridor (CCC). According to the Comprehensive Plan, these constantly traveled areas give visual clues about the values and experiences of the community - its commitment to aesthetics and overall good design, its attitude toward development, and its reaction to changing times. CCC roads include not only “greenbelts,” those roads with adjacent natural or vegetated areas, but also entrance corridors, historic roads, and roads which have traditional or unique features of the County. This portion of Route 30 is a major entrance road into

the County and would be considered an “open/agricultural” CCC, characterized as an area that is located primarily in rural areas where farming and forestal activities are predominant. In these areas, the objective of the CCC designation is to preserve the views and integrity of natural open spaces so that they remain the dominant visual features of the corridor and set this area of JCC apart from the rest of the County, including the eastern section of Richmond Road.

Staff believes an innovative and clustered development with open space and landscaping rather than parking and buildings as the primary visual features from Route 30, would better meet this important objective of the Comprehensive Plan and the Plan language regarding internally oriented development. The proposed design presents a more typical suburban character. Staff had offered the applicant some suggestions to design the site so that a “clustered” concept would be more possible to achieve as the site develops, but the applicant declined to incorporate these suggestions into the Master Plan.

The preferred width of the CCC buffer is generally 150 feet from the edge of the road right-of-way. The preferred width of the buffers along CCC may be decreased in areas with limited depth or designated commercial areas where enhanced landscaping and other site design improvements are provided. Due primarily to the relatively narrow width of the parcel itself, the width of the CCC buffer provided by the applicant is 50 feet. Staff believes that a better site layout would contribute to portions of the CCC buffer being greater than 50 feet.

Finally, staff has concerns over the current site layout in that there is virtually no vehicle stacking room for the improved Route 30 intersection and access to the remaining property is awkward. This becomes more important as the remainder of the site develops and build out uses on the remaining eight acres attempts to use this intersection. Again, staff believes a better site design would mitigate this situation.

Recommendation

Staff does not find the proposal consistent with the Comprehensive Plan recommendations. Therefore, staff recommends denial of the applications. On June 4, 2001, believing that impacts were mitigated, the Planning Commission recommended approval of the applications by a vote of 6-0.

During the June 4, 2001, Planning Commission meeting, the applicant made several requests to amend the proposed SUP conditions. The Commission and staff agreed to some of the changes, but an issue remains with the SUP expiration date. Staff had recommended that start of construction commence within 36 months of SUP approval. Such a time is generally consistent with time limits placed on other SUP applications. The applicant, however, has requested that start of construction be allowed to commence within 60 months of application approval. Staff finds five years unprecedented and does not recommend approval of such a condition.

Paul D. Holt, III

CONCUR:

O. Marvin Sowers, Jr.

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Attachments:

1. Minutes from the June 4, 2001, Planning Commission meeting
2. Location map
3. Letter from Mr. Vernon Geddy, III to Mr. Paul Holt, dated May 21, 2001
4. Petition signed from nearby property owners sent to Mr. Jim Kennedy and dated December 6, 2000
5. Proffers
6. Proposed Building Elevation
7. Resolution of approval for the rezoning
8. Resolution of approval for the special use permit
9. Master Plan (separate)