Hanover County, Virginia

Land Use Map

Legend

- Agricultural
- Rural Village
- Suburban Transitional
- Suburban General
- Suburban High
- Multi-Family
- Commercial
- Multi-Use
- Mixed-Use (LC/HR)
- Mixed-Use (HC/LR)
- Business-Industrial
- Industrial
- Limited Industrial
- Planned Business
- Destination Commerce
- Flood Plain

C-17-14

Chamberlayne Road Associates, L.L.C.

Rezone R-1 and A-1 to RS and B-2

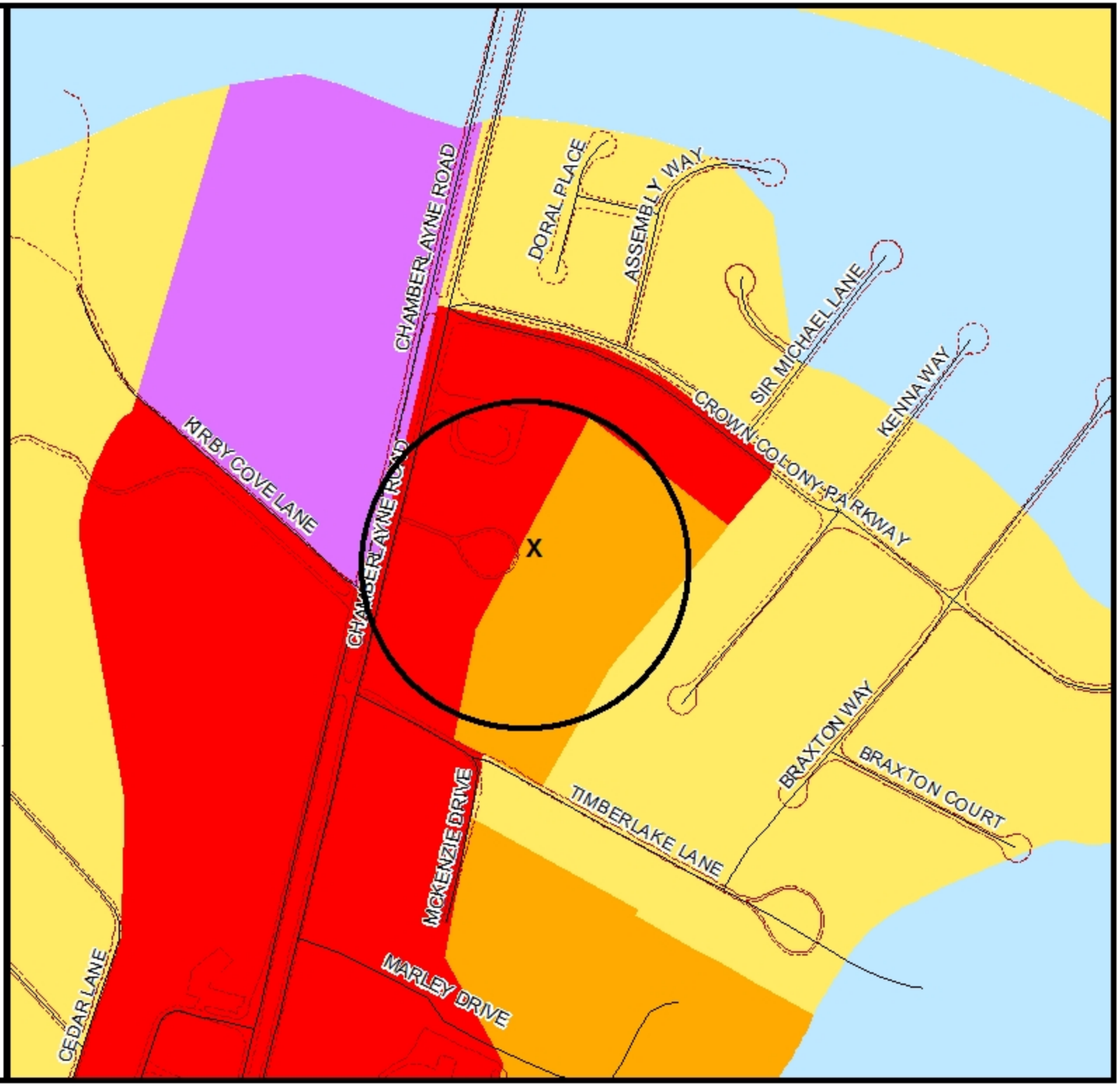
Commercial and Suburban High Land Use

GPIN's: 8706-67-5588 & 8706-67-5140

Chickahominy Magisterial District

1 inch = 400 feet

September 03, 2014



Hanover County, Virginia

General Parcel Map

Legend

- Roads
- Water
- Trees
- Private Road
- Structures
- Parcels

C-17-14

Chamberlayne Road Associates, L.L.C.

Rezone R-1 and A-1 to RS and B-2

GPIN's: 8706-67-5588 & 8706-67-5140

Chickahominy Magisterial District

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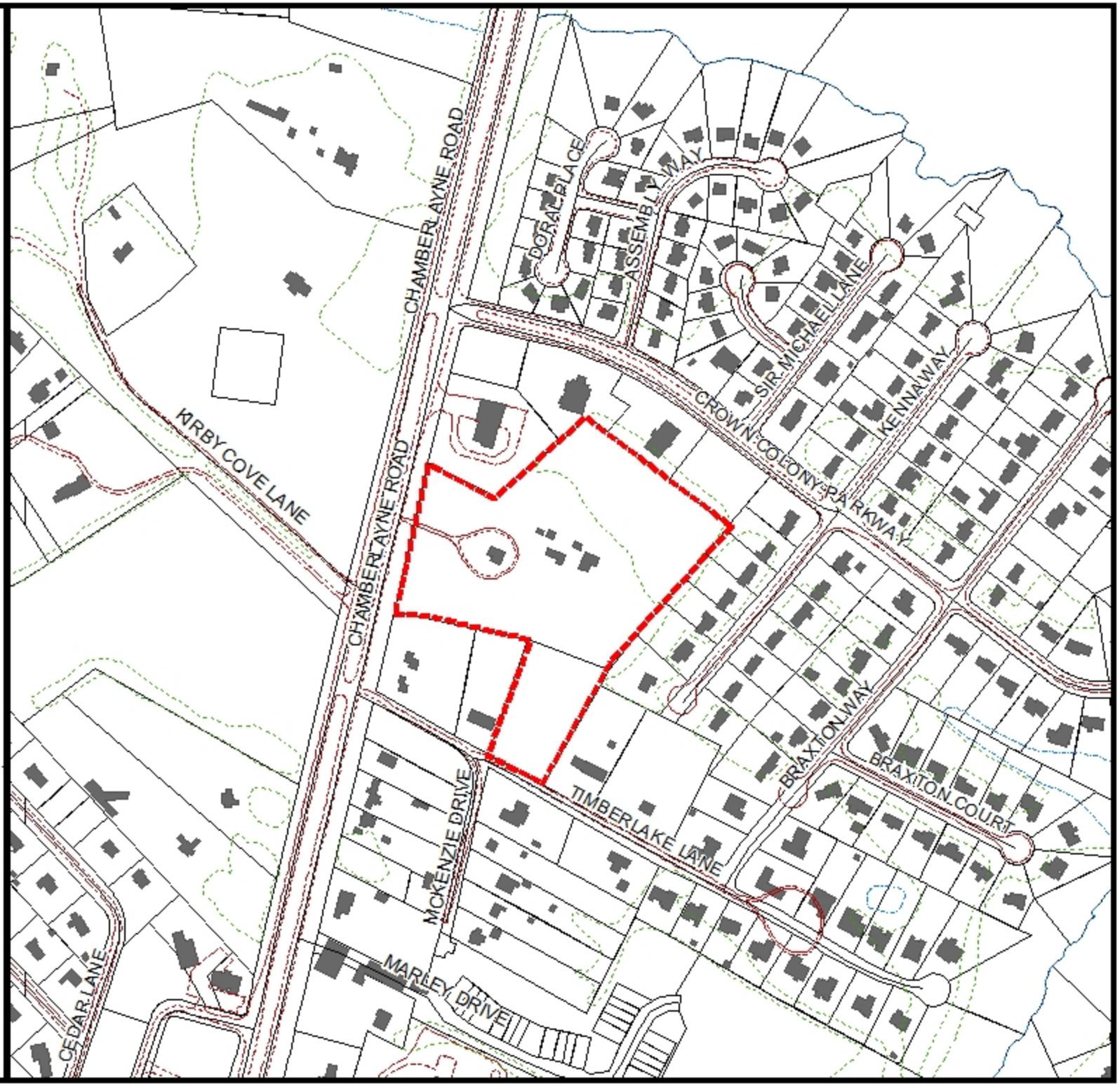


Hanover County, Virginia

Zoning Map

Legend

- Roads
- Water
- Private Road
- Parcels
- CUP
- A-1
- AR-1
- AR-2
- AR-6
- RC
- RS
- R-1
- R-2
- R-3
- R-4
- R-5
- R-6
- RM
- MX
- B-1
- B-2
- B-3
- O-S
- B-O
- M-1
- M-2
- M-3

C-17-14

Chamberlayne Road Associates, L.L.C.

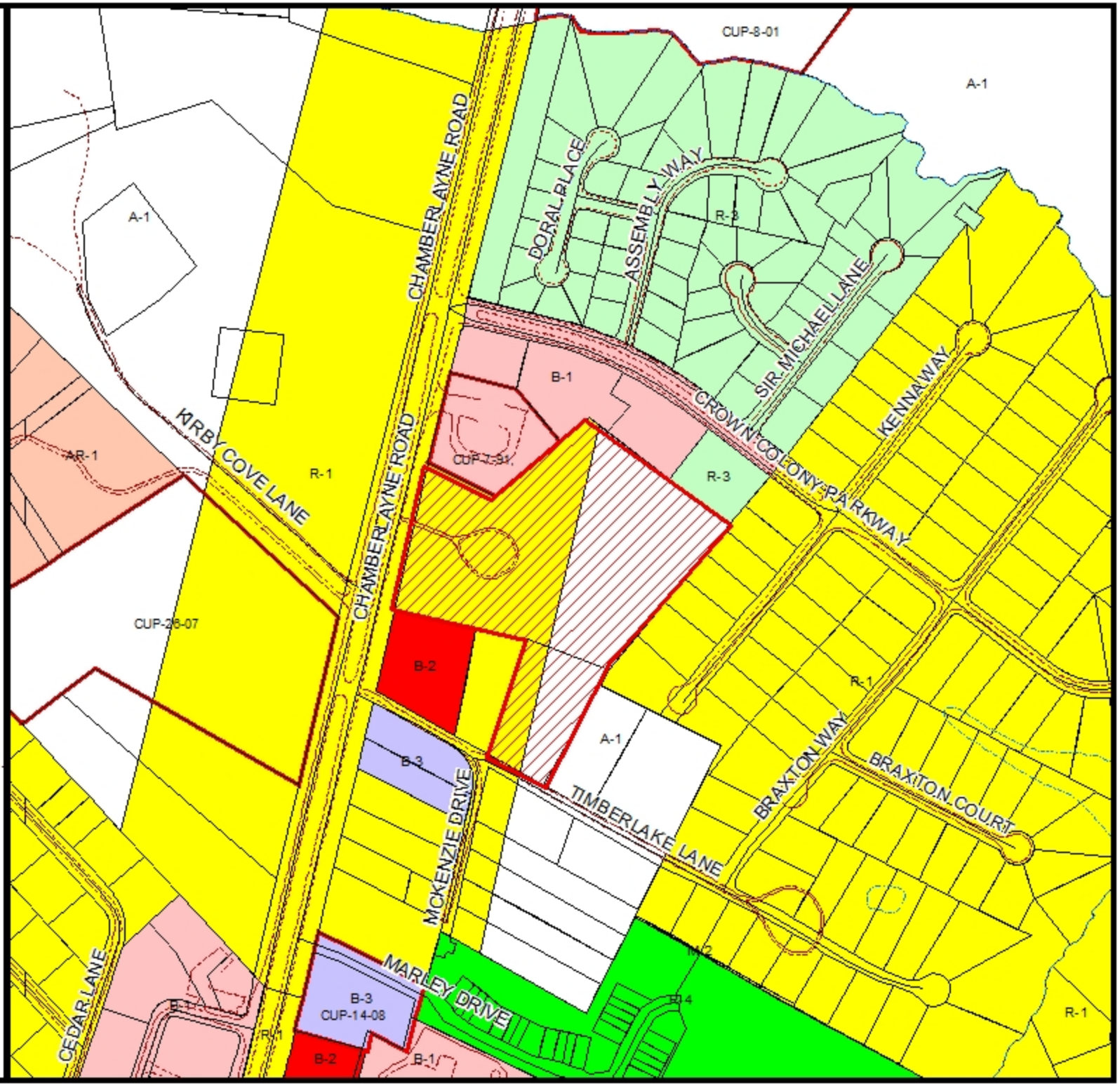
Rezone R-1 and A-1 to RS and B-2

GPIN's: 8706-67-5588 & 8706-67-5140

Chickahominy Magisterial District

1 inch = 400 feet

September 03, 2014



C-17-14 Chamberlayne Road Associates, L.L.C.

2013 Aerial

C-17-14(c), CHAMBERLAYNE ROAD ASSOCIATES, L.L.C.

Residential and Commercial Rezoning Report
Chickahominy Magisterial District
Board Meeting Date: April 22, 2015

Overview

Current Zoning	A-1, Agricultural District and R-1, Single-Family Residential District
Requested Zoning	RS(c), Single-Family Residential District with conditions and B-2(c), Community Business District with conditions
Requested Density	3.97 units per acre
Acreage	11.7
Location	On the east line of Chamberlayne Road (U.S. Route 301) approximately 250 feet north of its intersection with McKenzie Drive (State Route 1239)
GPINs	8706-67-5588 and 8706-67-5140
General Land Use Plan	Commercial and Suburban High (4-8 dwelling units per acre)
Major Thoroughfare Plan	Chamberlayne Road - Major Arterial (120' ultimate right-of-way)
Suburban Service Area	Inside
Case Planner	Gretchen Biernot

Executive Summary

This is a request to rezone 10.08 acres to RS(c), Single-Family Residential District with conditions and 1.55 acres to B-2(c), Community Business District with conditions. Forty (40) lots are proposed on the RS portion of the property, which provides a density of 3.97 units per acre. A conceptual plan and elevations have been submitted to demonstrate that the proposed subdivision meets RS District requirements.

Recommendations

Staff

APPROVAL subject to the submitted proffers, dated March 27, 2015, conceptual plan, dated September 2, 2015, and revised March 3, 2015.

Planning Commission

APPROVAL subject to the submitted proffers, dated March 27, 2015, conceptual plan, dated September 2, 2015, and revised March 3, 2015.

Planning Analysis

The conceptual plan of the 11.7 acre site shows 1.55 acres to be rezoned to B-2 and 10.08 acres to be rezoned to RS. Although the use of the B-2 portion of the site is speculative, the plan demonstrates how the site can accommodate a 24,700 square foot office/retail building and required parking spaces. The RS portion of the site shows 40 single-family detached lots along with the required common open space.

RS District Requirements

The required conceptual plan and elevations submitted by the applicant address the minimum plan and density requirements of the RS zoning district. For projects with a density of 3-4 units per acre, the ordinance requires the following:

- *Curb and gutter.* The subdivision construction plans for this development must show roads with curb and gutter.
- *25% of the net acreage (gross acre minus Chesapeake Bay Resource Protection Areas (RPA) and steep slopes greater than 35%) set aside in open space.* The minimum open space required is 2.52 acres, and 2.67 acres has been provided and highlighted on the conceptual plan. (The gross acreage equals the net acreage in this subdivision because there are no RPAs or steep slopes.)
- *Street trees and landscaping.* A landscape plan has been prepared and made part of the conceptual plan. The plan shows trees aligning both sides of the streets, contained within a 10' landscape easement in front of each lot. A typical planting plan provides additional detail on the trees, shrubs, and perennials to be provided for supplemental landscaping in the common area. The landscape plan also provides a list of trees, shrubs, and groundcovers to be used throughout the development that meet the RS requirements.
- *Pedestrian paths.* Concrete sidewalks, 4' in width, align both sides of each street and provide access to common open space areas throughout the development.
- *Single-loaded streets along 10% of the streets in the district.* The RS ordinance requires that at least 10% of the street frontages have dwellings on only one side of the street with the other side containing open space. The plan indicates that 39% of streets are single-loaded, which exceeds the requirement.

In addition to the minimum district requirements, RS also provides the following list of standards for reviewing the design of a conceptual plan:

a. *The open and common space areas shall be directly accessible to the largest practicable number of lots within the district. Non-adjoining lots shall be provided with safe and convenient pedestrian access to neighborhood common and open space.*

Sidewalks align both sides of the roads, providing safe and convenient access to the common areas.

b. *The common and open space areas shall be suitable for recreational uses, either active or passive, without interfering with adjacent dwelling units, parking, driveways, and roads.*

The common area is suitable for passive recreation without interfering with the dwelling units and roads.

c. *The open and common space areas shall be undivided by public or private roads, except where necessary for proper traffic circulation.*

The majority of the common area that is located along the eastern boundary of the property is contiguous and undivided by roads.

d. *Open space areas shall be left in their natural state to the maximum practicable extent, unless located to provide a screening buffer from adjoining property and roadways. Pedestrian paths may be located within the open space, including the buffer areas.*

The conceptual plan shows the common areas to include the proposed stormwater detention basin located to the rear as well as some supplemental landscaping. The plan also contains a note that states that the common area shall be left in its natural state, except for necessary clearing for the stormwater basin, access to the basin, and utilities.

e. *Historic features other than structures, when identified on the property, shall be incorporated into the open space areas and a preservation plan shall be provided for protection and maintenance of the features. If approved by the board, historic structures may be included in common space for use by the homeowners or may be located on a residential lot for conveyance and use as a residence.*

The existing house on the property is listed on the County's historic survey; however, the house is in such poor condition that the applicant has indicated that it will be removed from the property. The Historical Commission reviewed the impacts of the proposed development to the historic house. Since the house proposed is to be removed from the property, the Commission recommended that the applicant proffer to advertise an offering for the house to be removed or salvaged for materials and that County staff be given an opportunity to document historic features to be placed in the survey files. The applicant has submitted a proffer that is in accordance with the Commission's recommendation.

f. *Streets shall generally be designed to minimize the area within the project devoted to vehicular travel; calm traffic speeds; promote pedestrian movement; and terminate in views of open or common space or other appropriate vista.*

Saint Emilion Court contains multiple views of common areas, including the view from the entrance as well as approaching its terminus.

Elevations of proposed buildings have been provided as part of the conceptual plan, as required by the RS District. In addition, the applicant has proffered to provide specific architectural features including vinyl shakes or board or batten, brick or stone foundations with matching column bases, garage door windows, and gables and/or dormers.

Finally, RS requires that all internal roads be constructed to public road standards. However, Timberlake Lane, a private road, runs along the southern edge of the property. Because the private road could not remain private as part of this development, the applicant asked the adjacent property owners to the east (GPIN 8706-67-7001) to take this section of the road to add to their property. According to the applicant, a purchase contract has been signed to convey 0.079 acres to this adjacent property owner. This conveyance must take place prior to recordation of the subdivision plat.

Transportation

The applicant has proffered a contribution to road improvements in the amount of $2,306.00 per residential unit in accordance with the County's transportation policy. In addition, a right-turn lane on U.S. Route 301 into the development has been proffered and shown on the conceptual plan, as required by VDOT's Access Management standards.

VDOT has granted a waiver of the entrance spacing requirements for the proposed entrance on U.S. Route 301. In addition, VDOT's Secondary Street Acceptance Requirements (SSAR) require a road stub to the adjacent property to provide for a future road connection. Because a road stub has not been shown on the plan, the applicant was required to provide written justification to VDOT to waive this requirement. VDOT has approved a waiver, and the connection is no longer required.

Schools Analysis

Population Increase					
General Population	40 units	x	2.68 (avg. persons per household)	=	107 persons
School Children	107 persons	x	20% (avg. % of children per pop.)	=	21 children

Schools Affected	**Capacity**	**2014 Enrollment**
Washington Henry Elementary	493	477
Chickahominy Middle	1322	1179
Atlee High	1699	1677

The School Board assumes 50% of students will attend elementary school, 20% to middle school, and 30% to high school.

Comprehensive Plan

The proposed B-2 and RS zoning districts for the subject property are generally consistent with the General Land Use Plan Map in the Comprehensive Plan. The property is designated for Commercial along the frontage of U.S. Route 301 and Suburban High for the remaining acreage. The proposed

density at 3.97 units per acre is slightly below the density range of the Suburban High designation, which is 4-8 units per acre.

This request achieves the following objectives of the Comprehensive Plan:

- *Promote the interconnection of communities to enhance vehicular, bicycle, and pedestrian circulation and reduce demand along existing and proposed thoroughfares*

  The proposed residential community is designed to be pedestrian and bicycle friendly with safe and convenient access to common areas. Residents in this community will be able to walk along the sidewalks that connect to the future B-2 use as well as use the pedestrian path along the thoroughfare buffer on U.S. Route 301 to access the adjacent existing businesses, which currently consist of a seafood market and produce stand.

- *Ensure provision of adequate and safe vehicular access to thoroughfares*

  The proposed entrance is in compliance with all VDOT requirements. The applicant has obtained all the necessary waivers and has proffered to construct a right-turn lane at the entrance to address Access Management requirements.

- *Ensure provision of contiguous open space designed for passive and active recreation that is conveniently and centrally located for residents, and encourage the preservation of cultural resources and environmental features such as wetlands and Resource Protection Areas, scenic viewsheds, and existing trees/vegetation*

  The conceptual plan demonstrates how this strategy has been achieved through the placement of convenient and contiguous open space throughout the development. The plan notes that except for clearing necessary for drainage and utility improvements, the common area shall be preserved in its natural state.

  On the subject of cultural resources, as previously discussed, the historic house located on the property is in too poor condition to be incorporated into the development. The applicant has submitted a proffer based on the Historical Commission's recommendation.

- *Ensure land uses are harmonious with surrounding uses and residential density and non-residential uses should transition appropriately to adjoining uses; Support new planned neighborhood commercial districts that serve but do not conflict with surrounding residential areas*

  Adjacent to the subject property to the north is Royal Glen Subdivision, which is zoned R-3 with a density of 2.3 units per acre. Crown Colony Subdivision located to the east is zoned R-1 with a density of 1.5 units per acre. The density of the proposed subdivision is 3.97 units per acre, providing an appropriate transition between the subdivisions with lower densities and the B-2 property. Common area where existing trees will be preserved is directly adjacent to Crown Colony and surrounds the proposed lots along the eastern line of the property. The applicant has

also selected B-2 zoning with use restrictions along the frontage, which excludes many of the most intense business uses.

- *Strive for efficient land use and utilization of public utilities by supporting densities at the higher end of the recommended ranges*

  This strategy is not achieved as the proposed density of 3.97 units per acre is slightly below the 4-8 unit per acre range of the Suburban High designation. However, this density is appropriate, considering the compatibility of the development with adjacent subdivisions.

Citizen Input

The applicant held a community meeting on the previous application on April 15, 2014. Citizens at that time were concerned about the increased u-turn movements at Crown Colony Parkway from this development, future maintenance of the proposed townhouses, the high density, and impacts to schools. Because of these community concerns, the applicant withdrew their application and resubmitted an RS development with significantly fewer lots (73 units to 40 units) and single-family detached houses instead of townhouses. A community meeting on the current proposal was held on January 6, 2015.

Issues raised included the following:

- Clearing of heavily wooded areas near existing subdivision lots

  The applicant has provided a note on the plan that states common areas shall not be cleared except when necessary for utility and drainage improvements.

- B-2 zoning is a concern (especially fast-food restaurants), would prefer B-1

  The applicant has proffered out several B-2 uses considered inappropriate for the site, including fast-food restaurants with a drive-through.

- No subdivision access from McKenzie. All southbound traffic will now be forced to make u-turns at Crown Colony Parkway; Entrance safety on 301

  A 40-lot subdivision should have relatively minor impacts to U.S. Route 301. The applicant must meet VDOT requirements to ensure the safety of the proposed entrance. A right-turn lane is required at this entrance, which has been proffered by the applicant.

- Maintenance of BMP

  The Department of Public Works is actively involved with enforcing annual maintenance of stormwater basins.

- Interest in size and pricing of houses

The applicant has provided typical elevations and a proffer that will require specific architectural features be included on the final elevations submitted at the time of building permit. Furthermore, a minimum house size of 1,400 square feet has been proffered.

Agency Analysis

Agency	Comment Summary
Public Works	Runoff from this project must be kept from flowing onto adjacent residential lots. Storm sewer will have to be analyzed for discharge from the stormwater basin.
Public Utilities	The construction plans must include an easement for the future extension of public utilities towards Timberlake Lane/McKenzie Drive.

Proffers

The applicant submitted the following proffers on March 27, 2015:

B-2 Proffers:

1. Conceptual Plan. The applicant has proffered to develop the B-2 property in substantial conformity with the conceptual plan. The conceptual plan for the residential portion of the development is required to be submitted and approved as part of the RS zoning.

2. Architectural Treatment. The applicant has proffered quality architectural materials to be used.

3. HVAC Units. All mechanical units shall be screened.

4. Lighting. Light poles are limited to 25' in height. The maximum height for the B-2 district would otherwise be 45'.

5. Monument Signs. All commercial signage shall be monument style, and sign materials shall be compatible with the proposed structure.

6. Dumpsters. The methods of screening for the dumpsters has been proffered.

7. Uses. The applicant has proffered out B-2 uses considered inappropriate for the site.

RS Proffers:

8. Cash Proffers. – The standard proffer language has been submitted for a cash proffer in the amount of $2,306.00 to address impacts to the thoroughfare network.

9. Architecture. Houses shall incorporate specific architectural features and shall be designed in general conformance with the elevations attached to the conceptual plan.

10. House Size. The applicant has proffered a minimum house size of 1,400 square feet.

Proffers applicable to the entire property:

11. Transportation Improvements. The applicant has agreed to construct a northbound right turn lane with the first subdivision section or site plan, whichever occurs first, in accordance with VDOT standards and specifications.

12. Historic Structure. Based on the recommendations of the Historic Commission regarding the historic home on the property, the applicant has proffered to advertise an offering for the home to be removed or salvaged for materials. County staff will also be given an opportunity to document historic features to be placed in the survey files.

Planning Commission Recommendation

At their meeting of March 19, 2015, the Hanover County Planning Commission, on a motion by Mr. Padgett, seconded by Mr. Whittaker, voted to recommend **APPROVAL** of the request to rezone from A-1, Agricultural District and R-1, Single-Family Residential District to RS(c), Single-Family Residential District with conditions and B-2(c), Community Business District with conditions on GPINs 8706-67-5588 and 8706-67-5140, consisting of approximately 11.7 acres, subject to the submitted proffers and conceptual plan.

GJWB/sm/HTE

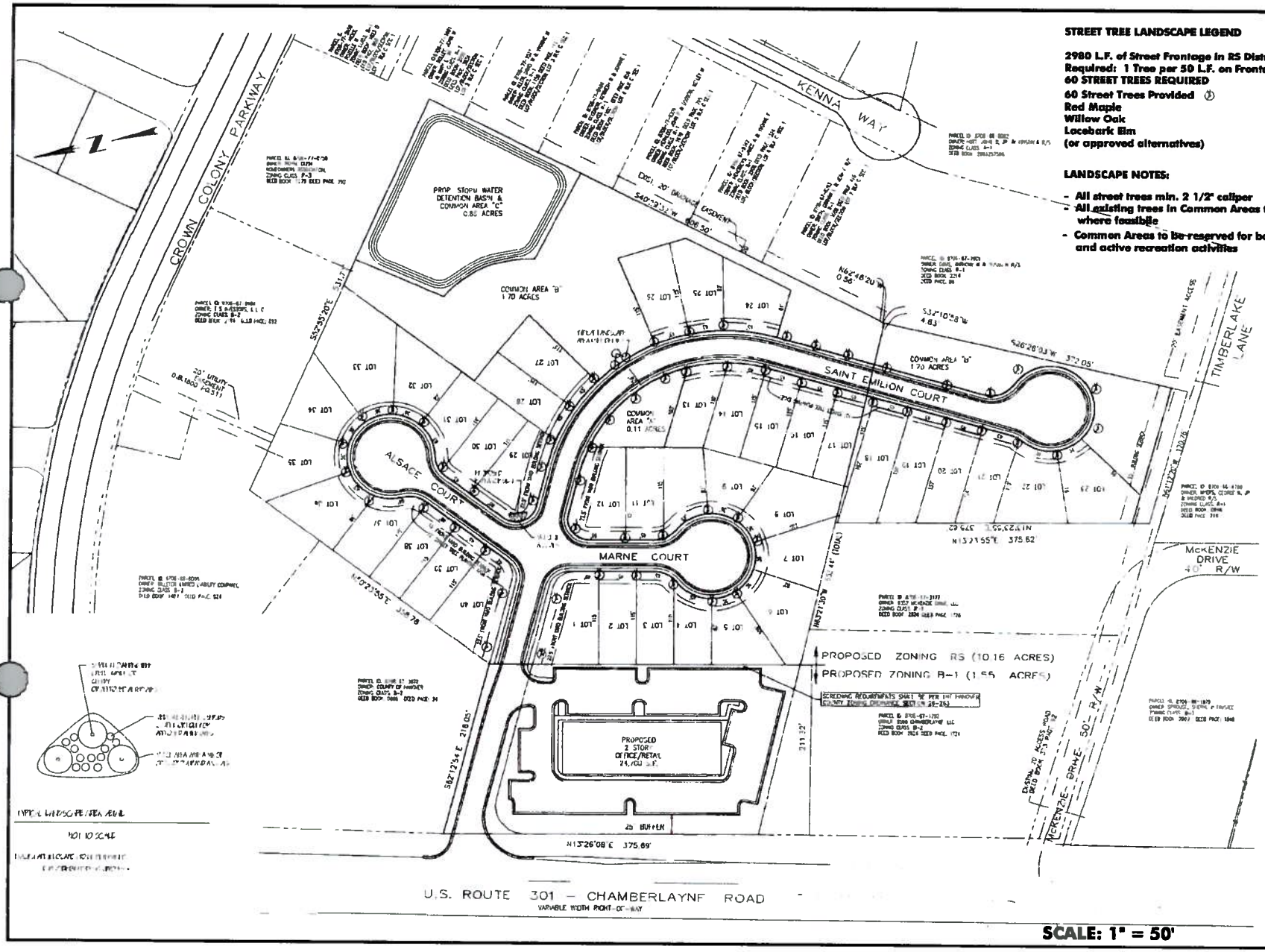
Attachments

- ☑ Maps (land use, vicinity, zoning, aerial)
- ☑ Historical Commission Recommendation
- ☐ County Traffic Study – Exec. Summary
- ☑ Application Materials
- ☐ 527 Traffic Study – Exec. Summary
- ☐ Citizen Correspondence
- ☐ Photographs
- ☑ Proffers/Elevations/Conceptual Plan
- ☑ Ordinance

Available Upon Request

- ☑ Agency Review Comments
- ☐ County Traffic Study – Full Copy
- ☐ Application – Full Copy
- ☐ 527 Traffic Study – Full Copy

ASPHALT SHINGLE ROOFING
VINYL SIDING
PVC COLUMNS
MASONRY FOUNDATION: STONE/ BRICK
VINYL/ PVC FASCIA AND TRIM



STREET TREE LANDSCAPE LEGEND

2980 L.F. of Street Frontage in RS District
Required: 1 Tree per 50 L.F. on Frontage
60 STREET TREES REQUIRED
60 Street Trees Provided ⓣ
Red Maple
Willow Oak
Lacebark Elm
(or approved alternatives)

LANDSCAPE NOTES:

- **All street trees min. 2 1/2" caliper**
- **All existing trees in Common Areas to be preserved where feasible**
- **Common Areas to be reserved for both passive and active recreation activities**

ORDINANCE C-17-14(c)

OWNER OF RECORD: CHAMBERLAYNE ROAD ASSOCIATES, L.L.C.

WHEREAS the Planning Commission of Hanover County has held an advertised public hearing and forwarded this case to the Board of Supervisors with a recommendation of **APPROVAL** of the adoption of the following amendment to the Zoning Ordinance and Zoning District Map of Hanover County; and

WHEREAS the Board of Supervisors has held public hearings on the 22nd day of April, 2015, and advertised in the ***Hanover Herald-Progress*** once a week for two successive weeks as required by Virginia Code Section 15.2-2204; and

WHEREAS the Board of Supervisors has determined that the public necessity, convenience, general welfare, and good zoning practices require this amendment.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Hanover County that the Zoning Ordinance and the Zoning District Map of this County are amended (with conditions) by the rezoning of the property described as GPINs 8706-67-5588 and 8706-67-5140, consisting of 11.7± acres located on the east line of Chamberlayne Road (U.S. Route 301) approximately 250 feet north of its intersection with McKenzie Drive (State Route 1239), (a detailed description is filed with the Board's papers) from A-1, Agricultural District and R-1, Single-Family Residential District, to RS(c), Single-Family Residential District with conditions and B-2(c), Community Business District with conditions, subject to the following conditions which were proffered by the Applicant on March 27, 2015, and accepted by the Board:

PROFFERS APPLICABLE TO B-2 PROPERTY:

1. Conceptual Plan. The B-2 area shall be developed in substantial conformity with the conceptual plan, entitled "'TIMBERLAKE COMMONS' SUBDIVISION & B-2 PROPERTY CONCEPTUAL & PRELIMINARY SUBDIVISION PLAN," dated September 2, 2014, revised March 3, 2015, and prepared by Goodfellow, Jalbert, Beard & Associates, Inc.

2. Architectural Treatment. The exterior wall surfaces (front, rear and sides) of any building on the B-2 Property shall be similar in architectural treatment and materials. The building constructed on the property shall have exposed walls (above finished grade) of face brick, natural stone, glass stucco, drivit, exposed aggregate concrete or an equivalent permanent architecturally finished material. No portion of an exterior wall surface visible from any adjoining property shall contain painted or untreated concrete masonry units, sheet or corrugated aluminum or metal, except that metal and/or aluminum may be incorporated for window and decorative treatments. All elevations shall be approved by the Director of Planning prior to Site Plan approval.

3. HVAC Units. Any mechanical units on the B-2 Property shall be screened, and if on the roof, screened by a parapet wall that is an integral component of the building. Screening shall be designed so as to block such units from view by persons on any public streets immediately adjoining the B-2 Property, or from adjacent residential uses. The method of screening shall be submitted at the time of site plan review.

4. Lighting. The Property Owner shall provide lighting not greater than twenty-five (25) feet in height.

5. Monument Signs. All freestanding signs on the B-2 Property shall be monument type, and shall include materials and design that are compatible with the proposed materials and architectural theme of the proposed structure.

6. Dumpsters. Dumpsters on the B-2 Property shall be screened with an opaque fence or screening wall so as not to be visible by persons on any public streets immediately adjoining the Property, or from adjacent residential uses.

7. Uses. The following B-2 uses shall not be permitted:

Convenience store with or without fuel sales
Fast food restaurants with drive-through
Flea Market
Warehouse
Wholesale establishments

PROFFERS APPLICABLE TO RS PROPERTY:

8. Cash Proffers. The Property Owner, for itself, and its successors and assigns, agrees to pay Hanover County prior to issuance of a Certificate of Occupancy, the amount of Two Thousand Three Hundred Six and 00/100 ($2,306.00) per single family unit built on the RM zoned Property. The funds shall be used for the purpose of completing off-site road improvements relating to the development allowed by the rezoning and included in the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013. In the event funds are paid and are not used for such improvements, the County shall return the funds paid to the Owner or his successors in title.

9. Architecture. All houses constructed on the RS-zoned property shall include the following: 1) vinyl shakes, vinyl board and batten, and/or beaded vinyl (or compatible materials), 2) brick or stone foundations with matching column bases, and 3) garage door windows. Rooflines shall incorporate gables and/or dormers. The elevations shall generally conform to the style of architecture depicted on the elevations made part of the Conceptual Plan referenced above.

10. House Size. Minimum house sizes shall be 1,400 square feet. The calculation of minimum floor area shall not include floor area devoted to garages or breezeways in any category. Floor area shall be measured along the exterior walls of the structure.

PROFFERS APPLICABLE TO THE B-2 AND RS PROPERTY:

11. Transportation Improvements. The Property Owner shall construct a northbound right turn lane on Chamberlayne Road (U.S. Route 301) as generally shown on the Conceptual Plan. The turn lane shall be designed and shown on the first set of construction plans submitted for the RS zoned portion of the property and shall be bonded as a subdivision improvement with the first section. In the event a site plan for the B-2 zoned property is submitted prior to subdivision construction plans, the turn lane shall be designed and shown on the first site plan submitted to Hanover County and shall be constructed, inspected, and eligible for acceptance by VDOT prior to issuance of a Certificate of Occupancy for any structures for which a Building Permit has been issued. All road improvements shall be designed and constructed in accordance with VDOT standards and specifications.

12. Historic Structure. Prior to application for a demolition permit for the historic structure located on the Property, the Owner shall advertise in a regional newspaper for two successive weeks a free offering of the historic structures for its movement to another site. If there are no respondents, the Owner shall allow any historic materials in the structures to be properly salvaged. Prior to any demolition or removal of materials, the Owner shall allow County staff to enter the structures for the purpose of photographic documentation for placement in the County's historic survey file for House, Route 301, VDHR 42-5250.

BE IT FURTHER ORDAINED that this Ordinance is effective on the date of adoption and the Planning Director is hereby directed to designate the boundaries of the foregoing area as rezoned, subject to conditions, on the Zoning District Map of Hanover County.

On motion of _____, seconded by _____, the members of the Board of Supervisors voted to approve Ordinance C-17-14(c), Chamberlayne Road Associates, L.L.C., as follows:

Vote:

Sean M. Davis
Wayne T. Hazzard
Angela Kelly-Wiecek
W. Canova Peterson, IV
Aubrey M. Stanley
G. E. Via, III
Elton J. Wade, Sr.

Public Hearings:

Planning Commission March 19, 2015

Board of Supervisors April 22, 2015

Adopted April 22, 2015

This is to certify that the above is a true copy of C-17-14(c), adopted by the Hanover County Board of Supervisors on _____.

Dated: _____

_____
Cecil R. Harris, Jr.
County Administrator / Clerk
Hanover County Board of Supervisors

GJWB/sm/hte