

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-26-14

FEMB, L.L.C.

Rezone B-0 to B-3

Commercial Land Use

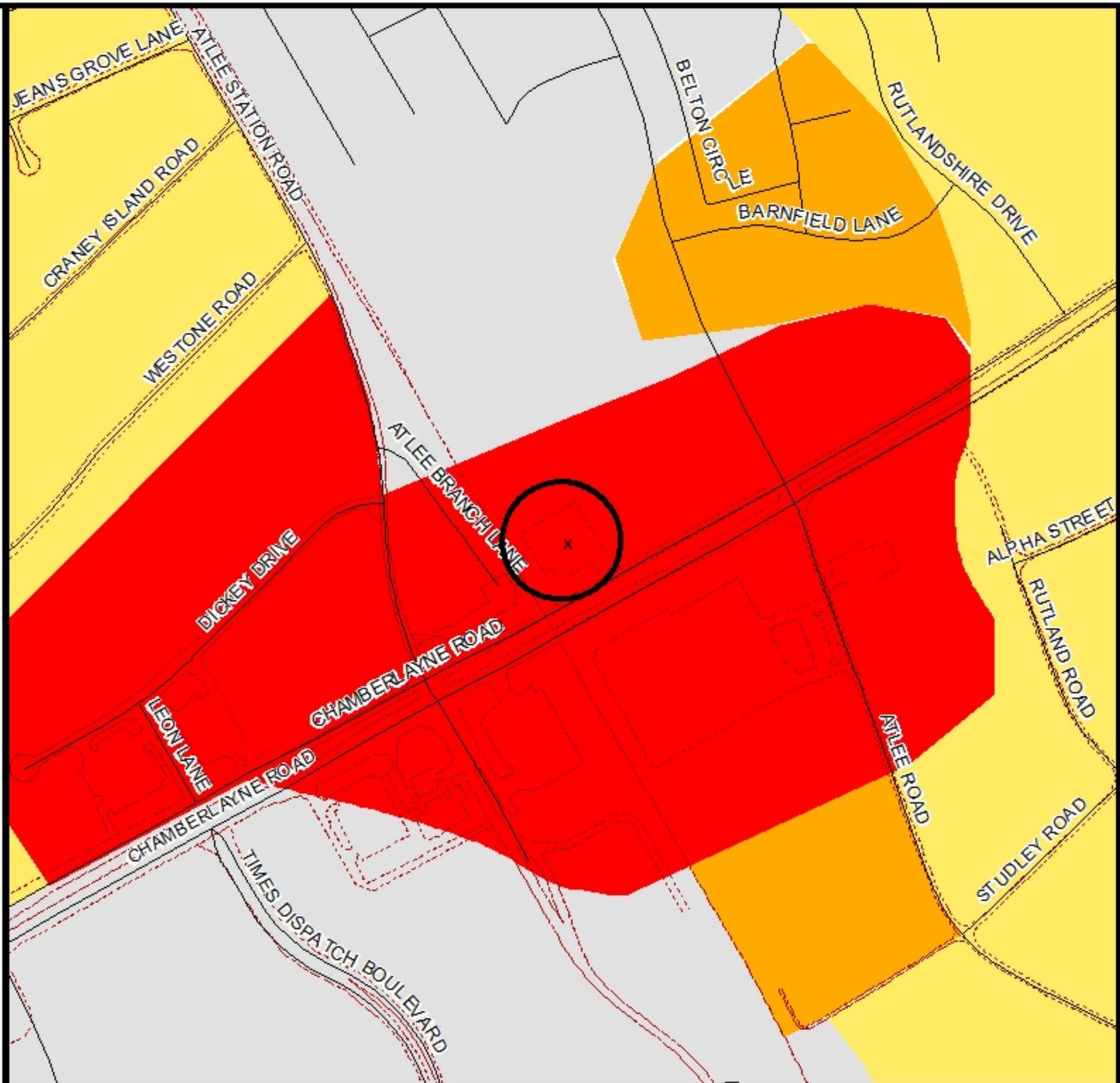
GPIN: 8706-02-8257

Chickahominy Magisterial District



1 inch = 400 feet

December 02, 2014



Hanover County,
Virginia

General Parcel Map

Legend

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

C-26-14

FEMB, L.L.C.

Rezone B-0 to B-3

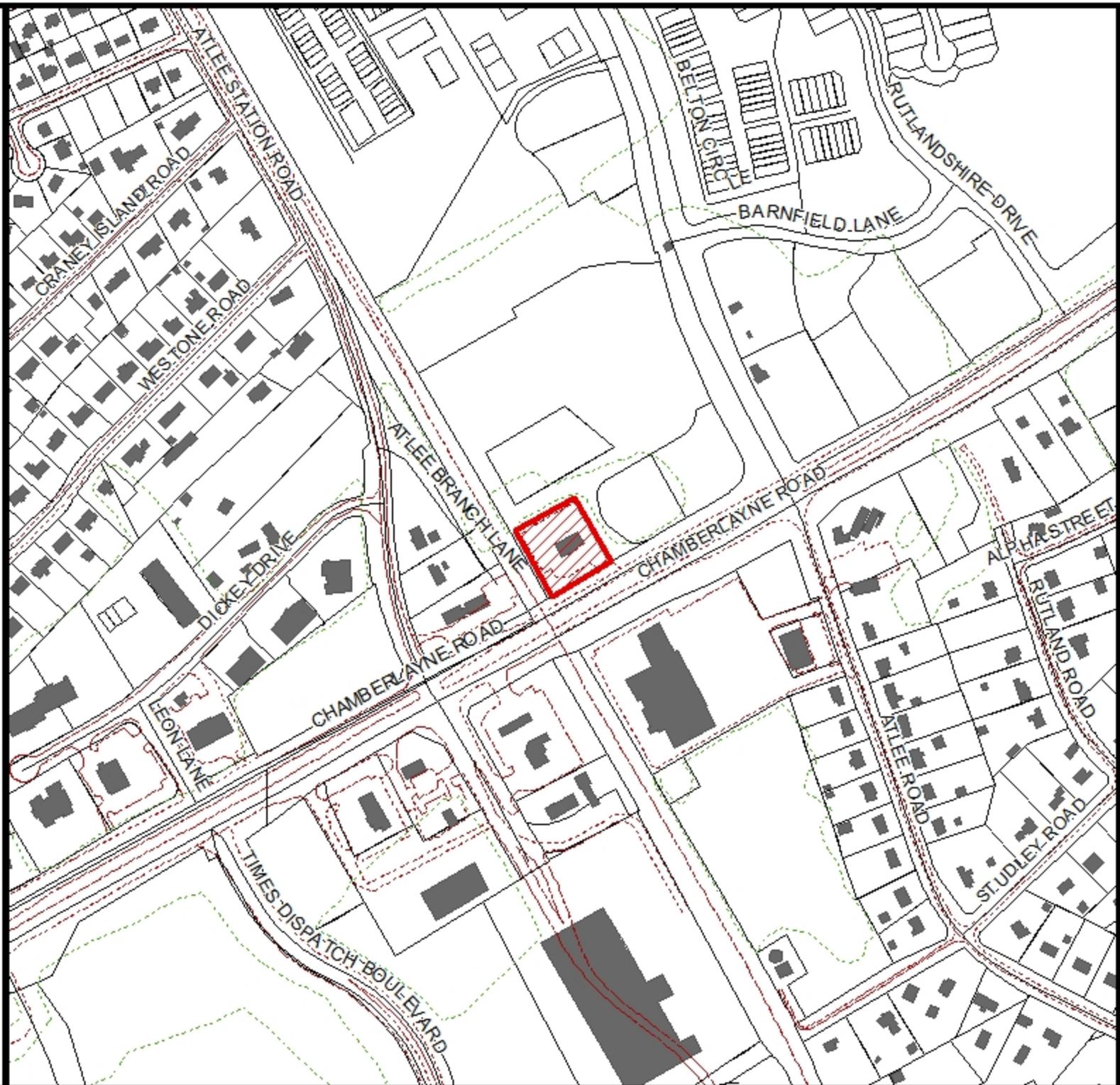
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Chickahominy Magisterial District



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December 02, 2014



Hanover County, Virginia

Zoning Map

Legend

— Roads	■ R-4
- - - Water	■ R-5
- - - Private Road	■ R-6
□ Parcels	■ RM
□ CUP	■ MX
□ A-1	■ B-1
□ AR-1	■ B-2
□ AR-2	■ B-3
□ AR-6	■ O-S
□ RC	■ B-0
□ RS	■ M-1
□ R-1	■ M-2
□ R-2	■ M-3
□ R-3	

C-26-14

FEMB, L.L.C.

Rezone B-0 to B-3

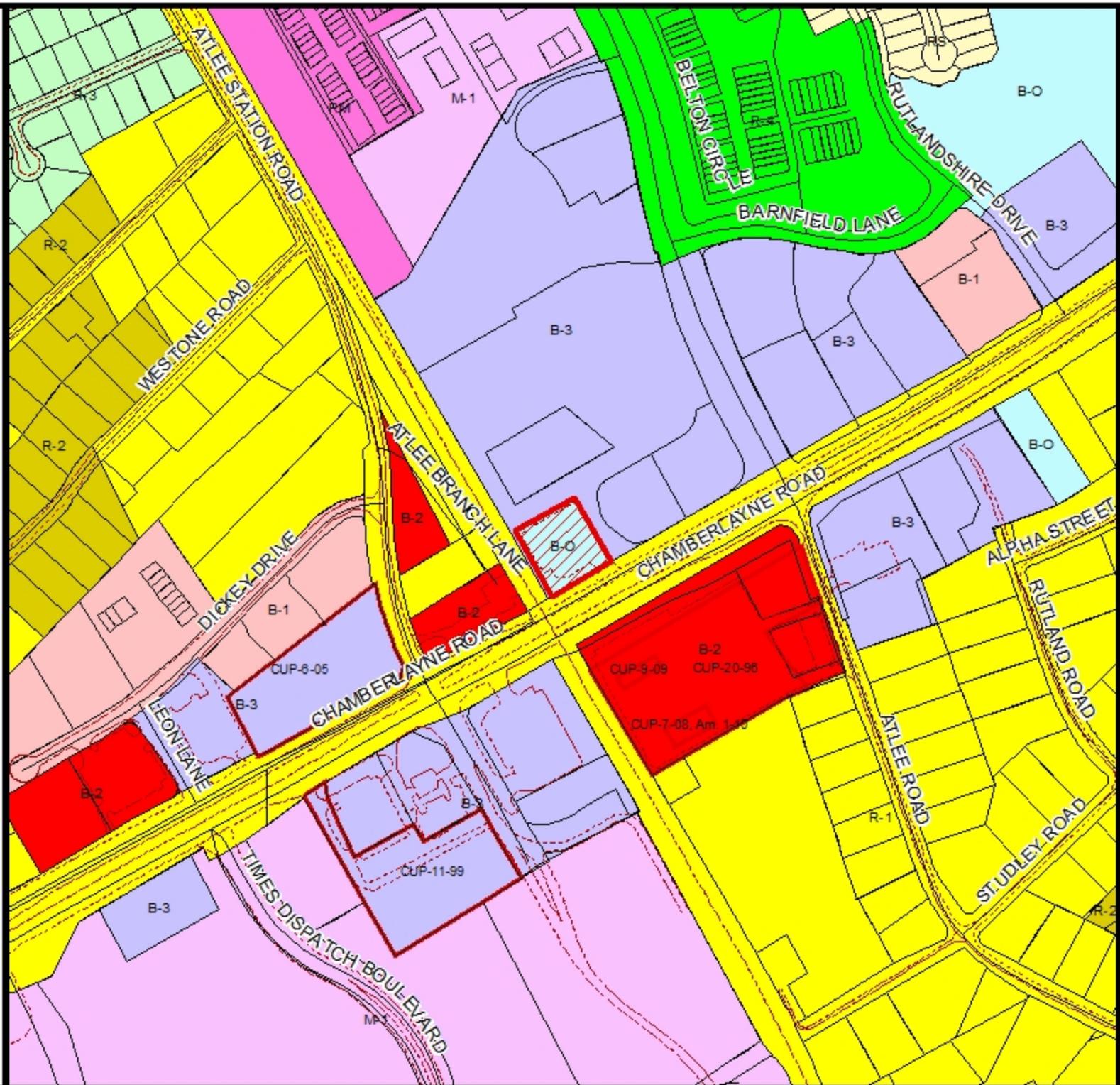
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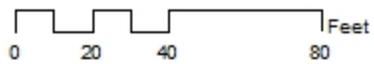
Chickahominy Magisterial District



1 inch = 400 feet

December 02, 2014





C-26-14(c), FEMB, L.L.C.

Commercial Rezoning Report
Chickahominy Magisterial District
PC Meeting Date: February 19, 2015



Overview

Current Zoning	B-O, Business Office District
Requested Zoning	B-3(c), General Business District with conditions
Acreage	1.0
Location	On the north line of Chamberlayne Road (U.S. Route 301) approximately 500 feet west of its intersection with Atlee Road (State Route 638)
GPIN	8706-02-8257
General Land Use Plan	Commercial
Major Thoroughfare Plan	Chamberlayne Road is a Major Arterial with 120' ROW
Suburban Service Area	Inside
Case Planner	Claudia Cheely

Executive Summary

The subject property is currently zoned B-O, Business Office District, and is located immediate adjacent to the Rutland Commons shopping center. The property is currently used for an orthodontics practice. The owners propose to expand the orthodontics practice in a new structure that will replace the existing structure as well as be large enough to accommodate one or more leased spaces. Because a majority of the property in the area is developed for retail and office uses and the adjacent shopping center is zoned B-3, the applicant would like to have the same use options for the leased space in his new structure.

Proffers and a conceptual plan have been submitted.

Staff Recommendation

APPROVAL subject to the submitted proffers, dated January 29, 2015, and received February 2, 2015, and the conceptual plan, dated November 17, 2014, and most recently revised January 21, 2015.

Planning Analysis

Comprehensive Plan and Compatibility with Surrounding Area

The General Land Use Plan map in the Comprehensive Plan shows a Commercial node from Atlee Crescent (generally at Leon Lane and Route 301) to the east past Atlee Road including Patriots Corner shopping center and the emergency medical center in Rutland. Development in this area can be classified as general office, medical office, general retail and restaurants. The subject property fronts on U.S. Route 301 generally in the middle of the Commercial node and the other commercial development. Rezoning of the subject property to B-3(c) is consistent with the General Land Use Plan and would be compatible with the uses in this area.

The applicant has not provided elevations for review. However, he has proffered that building elevations shall be in substantial conformity with adjacent architecture in Rutland Commons. Retail tenants will be permitted to include prototypical or corporate identification architectural elements in the design of the building or space, and the standard of compatibility may be met through scale, materials, forms, and/or colors which may be embodied in architecture. Staff recommends that additional language be added that indicates that the architectural conformity be determined by the Planning Director prior to site plan approval.

Conceptual Plan

A conceptual plan has been submitted that shows both the existing building and the new building that will replace the existing structure. The applicant plans to continue use of the existing structure until the new structure has a certificate of occupancy and the orthodontic practice moves into it. The existing structure would then be demolished and the site completed with more parking. Additional parking is shown as well as a loading space and dumpster. A possible retaining wall is shown in case it may be needed. The existing entrance is shown for access and a possible future connection to the adjacent access drive into Rutland Commons; a note indicates the connection location to Rutland is subject to change based on final engineering.

The property does have some environmental features which will need to be addressed during site plan review. The property is only one acre in size and is located between Rutland Commons and the railroad crossing of U.S. Route 301. The topography of the property will require grading and possibly the retaining wall shown. Finally, the current entrance is very close to the westernmost right-in/right-out access for Rutland Commons. During site plan review, the applicants will have to address any entrance improvements required by VDOT.

The applicants are proposing a structure that is much larger than the existing structure; the current structure is less than 3,000 square feet, while the new structure is shown to be 10,432 square feet. With this increase in size and introduction of other undetermined uses, there will be much more parking required on-site. With that level of impervious surface, the site will need to address all Public Works' requirements for stormwater runoff, including quantity and quality, Chesapeake Bay requirements and drainage ordinance requirements.

Transportation

The proposed entrance to this site from U.S. Route 301 is in the same location as the existing entrance. VDOT has indicated that an access management waiver will be required due to the additional proposed uses of the larger building. VDOT may also require relocation of the entrance.

Staff has not identified a better location for the entrance. There is going to be conflict between vehicles entering and exiting the subject site and with those using the adjacent access drive in Rutland Commons. Vehicles exiting these sites need to watch for westbound U.S. Route 301 traffic, and the traffic from the adjacent driveway. While the applicant shows a potential future connection to the adjacent access drive (Rutland Commons), that feature is speculative since this has not been worked out with the owners of Rutland Commons. A solution may be to close the current access drive to the subject site and provide access from Rutland Commons, but that would likely require some redesign of the Rutland Commons access drive so that there is not vehicular conflict within the site that creates stacking onto U.S. Route 301.

Because Rutland Commons was likely granted an access management waiver to place the adjacent access drive next to the subject site, representatives of the subject site indicate they should not be penalized for the driveway placed next to theirs. The applicants plan to address this with VDOT and resolve the issue during site plan review.

Agency Analysis

Agency	Comment Summary
Public Works	General comments for all developments have been provided to the applicant regarding Chesapeake Bay and drainage requirements. The new stormwater regulations apply requiring water quantity and quality reduction, and redevelopment standards apply to this site.
Public Utilities	No issues with this development, but comments have been provided regarding location of public water and sewer connections.
Building Inspector	The retaining wall will require a separate building permit if it supports more than three (3) feet of unbalanced fill. Handicapped parking spaces will be required per the Va. Construction Code.
VDOT	See Transportation discussion above.
Historical Commission	No impacts to the adjacent historic site, House, Route 301, VDHR #42-0537.

Proffers

Staff recommends approval of the proffers January 29, 2015, subject to the recommended change to proffer number 2:

1. Conceptual Plan – The property will be developed in conformity with the conceptual plan most recently revised January 21, 2015;
2. Architecture – The building elevations will be in substantial conformity with the architecture in Rutland Commons, and tenants will be permitted to include prototypical or corporate

identification elements in the design of their building or space. The standards of compatibility may be met through scale, materials, forms, and or colors embodied in the architecture.

Staff recommends that it also be proffered that the Planning Director be identified as the entity that reviews and approves building elevations for conformity.

3. Loading Area – Service and delivery will be located at the rear or side of the structure, and shall be screened with decorative fencing or landscaping if not blocked from view from public roadways.
 4. HVAC – Mechanical units placed on rooftops shall be screened with architectural features which are compatible with the building façade so that such units are blocked from view from public streets immediately adjacent to the property.
-
5. Lighting – Lighting shall not be greater than 30’ in height.
 6. Signage – Freestanding signage shall consist of a single use or multi-use monument and retail tenants will be permitted to show their standard logo and colors on building and panel signage.

Summary of Outstanding Issues

As previously discussed in the report, staff recommends that the following issues be addressed:

1. Proffer number 2 should be addressed as recommended;
2. The applicant has chosen to address the access issue during site plan review, but should the Planning Commission decide it is one that needs to be resolved prior to zoning, then the Planning Commission should direct the applicant to do so.

CDC/sm/HTE

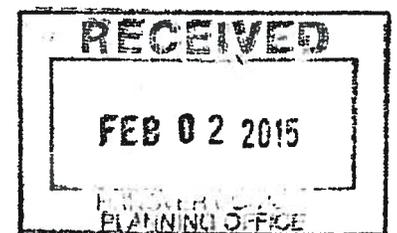
Attachments

- Maps (land use, vicinity, zoning, aerial)
- Historical Commission Recommendation
- Approved Proffers/Elevations/Conceptual Plan
- County Traffic Study
- Application Materials
- Agency Review Comments
- 527 Traffic Study
- Citizen Correspondence
- Photographs
- Proffers /Conceptual Plan

Proffers for C-26-14(c), FEMB, L.L.C.

The undersigned, FEMB, L.L.C., owner of parcel designated GPIN 8706-02-8257 ("the Property"), voluntarily agrees for itself, its agents, representatives, successors and assigns (collectively "the Property Owner") that, in the event the Property is rezoned from B-O, Business Office, to B-3, General Business District, the development and use of the Property shall be subject to the following conditions:

1. Conceptual Plan. The Property shall be developed in substantial conformity with the conceptual plan attached titled (Conceptual Site Plan "A") dated November 17, 2014, and most recently revised January 21, 2015, and prepared by Canova Associates Architecture, (the "Concept Plan") provided that the Property Owner may make adjustments that are necessary to effectively design the Property based on final engineering, subject to the approval of the Planning Director.
2. Architecture. The building elevations shall be in substantial conformity with the adjacent architectural properties in Rutland Commons. Retail tenants will be permitted to include prototypical or corporate identification architectural elements in the design of their building or space. The standard of compatibility may be met through scale, materials, forms, and/or colors which may be embodied in architecture.
3. Loading Area. Service and delivery loading dock will be located at the rear or side of structures, and if such facilities are not substantially blocked from view from the public roadways, they will be treated with architectural elements or decorative fencing and/or evergreen landscaping to screen their visibility from the public roadways, in accordance with Section 26-263.
4. HVAC. Any mechanical units placed on the rooftops of buildings shall be screened by architectural features which are compatible with building facade architecture. Screening shall be designed so as to block such units from view by persons on any public streets immediately adjoining the property.
5. Lighting. The Property Owner shall provide lighting not greater than thirty (30) feet in height, and such lighting shall be so arranged as to reasonably protect adjacent properties from direct glare or hazardous interference.
6. Signage. Freestanding signage shall consist of a single use or multi-use monument style sign. Retail tenants, will be permitted to show their standard logo and colors on building and panel signage.



FEMB, L.L.C.

Fred Babik
By: Fred Babik
Official Title: Manager/Owner

Date: 1-29-15

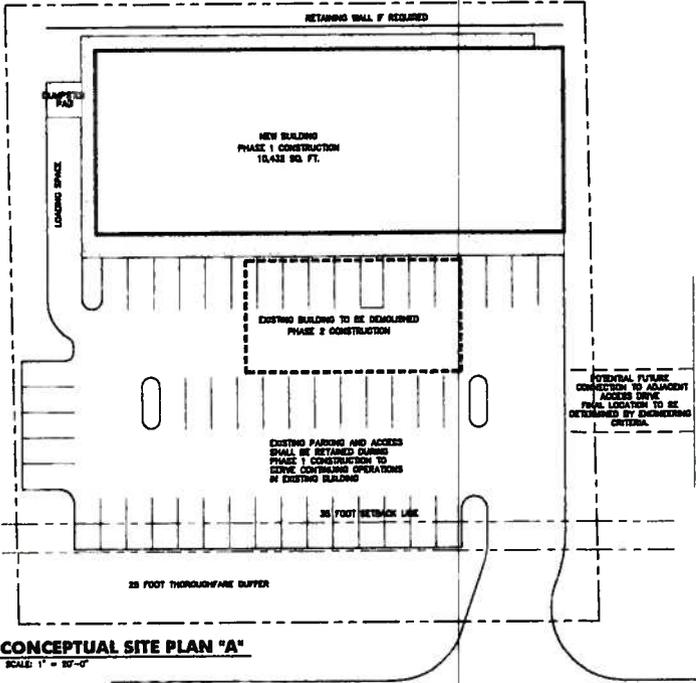
COMMONWEALTH OF VIRGINIA,
COUNTY OF HANOVER, to-wit:

I, Han Sam Park, do hereby certify that the foregoing Proffers were acknowledged before me, by Fred Babik, Manager/Owner (Official Title), on behalf of FEMB, L.L.C., this 29th day of January, 2015.

[Signature] (SEAL)
Notary Public

My Commission Expires: 02/28/2018
My commission ID#: 7347496





CONCEPTUAL SITE PLAN "A"
SCALE: 1" = 50'-0"

US ROUTE 301