~~December 15, 2005 CPC~~
~~February 21, 2006 CPC~~
~~April 18, 2006 CPC~~
June 20, 2006 CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06SN0127

J. Mark Sowers

Clover Hill Magisterial District
Reams Elementary, Providence Middle and Monacan High Schools Attendance Zones
Northern terminus of Vickilee Road

REQUESTS:

I. Rezoning from Agricultural (A) to Residential (R-12).

II. Waiver to street connectivity requirements.

PROPOSED LAND USE:

A single family residential subdivision is planned with a minimum lot size of 12,000 square feet. A maximum of 3.63 dwelling units per acres is permitted within a Residential (R-12) District, yielding approximately eighty-two (82) dwelling units; the theoretical density permitted in a Residential (R-12) District is 3.05 dwelling units, yielding approximately sixty-eight (68) dwelling units; and the average actual lots recorded in a Residential (R-12) District, utilizing public water and sewer, between 2002 and 2004 was 1.99 units per acre, yielding approximately forty-four (44) dwelling units.

RECOMMENDATION

Request I: Recommend approval of the rezoning subject to the applicant adequately addressing the impact of this development on capital facilities and erosion, as discussed herein. This recommendation is made for the following reasons:

A. The proposed zoning and land uses conform to the Northern Area Land Use Plan which suggests the property is appropriate for medium density residential use of 1.51 to 4.0 units per acre.

B. The application fails to address erosion impacts associated with timbering of the property, as described herein. Proffered Condition 3 is required by law.

C. The proffered conditions do not adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions do not mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

Request II: Recommend denial of the waiver to street connectivity requirement for the following reason:

The standards by which an exception to street connectivity should be granted have not been met.

(NOTES:

A. THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS.

B. IT SHOULD BE NOTED THAT REVISED PROFFERED CONDITIONS WERE NOT SUBMITTED AT LEAST THIRTY (30) DAYS PRIOR TO THE COMMISSION'S PUBLIC HEARING PER THE "SUGGESTED PRACTICE AND PROCEDURES." THE "PROCEDURES" SUGGEST THAT THE CASE SHOULD BE DEFERRED IF REPRESENTATIVES FROM THE AFFECTED NEIGHBORHOOD(S), STAFF AND THE COMMISSIONERS HAVE NOT HAD SUFFICIENT TIME TO EVALUATE THE AMENDMENTS. STAFF HAS HAD AN OPPORTUNITY TO THOROUGHLY REVIEW THESE PROFFERS.)

PROFFERED CONDITIONS

Utilities

1. This development shall utilize public water and sewer. (U)

Cash Proffer

2. Applicant, subdivider, or assignee(s) shall pay the following to the County of Chesterfield, prior to the issuance of a building permit, for infrastructure improvements within the service district for the property:

   a. $5,000.00 per dwelling unit. At the time of payment, the $5,000.00 will be allocated pro-rata among the facility costs as follows: $1,700.00 for schools, $170.00 for parks and recreation, $2,860.00 for roads, $130.00 for libraries, and $140.00 for fire stations.

   b. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. (B&M)

Timbering

3. Any timbering that is to occur as the first phase of infrastructure construction will be incorporated into the project's erosion-and-sediment control plan narrative and will not commence until the issuance of a land disturbance permit for subdivision construction and proper installation of erosion control measures. Timber management (thinning, etc.) will be allowed upon submission and approval of the appropriate management plan to include erosion control and the issuance of a land disturbance permit by the Environmental Engineering Department. (EE)

Architectural Restrictions & Density

4. One story dwellings shall have a minimum gross floor area of 1500 square feet. Dwellings above one story shall have a minimum gross floor area of 1800 square feet. (P)

5. All exposed portions of the foundations of each dwelling unit shall be faced with brick veneer. Exposed piers supporting front porches shall be faced with brick veneer. (P)

6. Any residential lots having sole access through Briarcliff Subdivision shall have an average lot area of not less than 12,600 square feet. Such lots shall not exceed a density of 2.9 dwelling units per acre. (P)

7. Any residential lots having sole access through Heatheridge Subdivision shall have an average lot size of 13,500 square feet. Such lots shall not exceed a density of 2.7 dwelling units per acre. (P)

8. Any residential lots having sole access through Forest Acres Subdivision shall have an average lot size of 17,400 square feet. Such lots shall not exceed a density of 2.1 dwelling units per acre. (P)

Drainage

9. A post development drainage study shall be performed by the developer from the southern property line of the project through the existing downstream neighborhoods through the culvert under Cherylann Road.

The study shall determine the deficiencies in required capacity, the areas of stormwater inundations and the hydraulic interrelationships between the existing stormwater conveyance systems.

The study shall propose those onsite and offsite manmade improvements which will cause the study area to possess storm drainage capacity that meets, to the maximum extent physically practicable, minimum standards with respect to required manmade drainage improvements and flood plain management.

Upon approval by the Environmental Engineering Department of the drainage improvements called for in the study, the improvements shall be incorporated into the construction plans for the project and shall be implemented as the first phase of development. (EE)

GENERAL INFORMATION

Location:

Eastern terminus of North Vickilee Road and Vickilee Court, northern terminus of Vickilee Road and western terminus of Marblethorpe Road. Tax IDs 746-699-8830; and 747-699-0340, 0744, 1248, 1750, 2453 and 4454 (Sheet 6).

Existing Zoning:

A

Size:

22.6 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - R-15; Single family residential
South - R-7; Single family residential
East - R-9 and A; Single family residential
West - R-9; Single family residential

UTILITIES

Public Water System:

The public water system is available. There is an existing eight (8) inch water line extending along Marblethorpe Road that terminates adjacent to the eastern boundary of the request site. In addition, there is an existing six (6) inch water line extending along Vickilee Road that terminates adjacent to the western boundary of this site. Use of the public water system is intended. (Proffered Condition 1)

Per Utilities Department Design Specifications (DS-21), wherever possible, two (2) supply points must be provided for subdivisions containing more than twenty-five (25) lots.

Public Wastewater System:

This site is within the Falling Creek Drainage Basin. There is an existing eight (8) inch wastewater collector line extending along a portion of the southern boundary of this site. Wastewater service to the majority of the request site will require an extension from this line. Use of the public wastewater system is intended. (Proffered Condition 1)

ENVIRONMENTAL

Drainage and Erosion:

The subject property drains in three (3) directions. A small portion of the property drains to the southwest to Heathridge, Section 4. There are currently easements available that could be utilized for improvements if necessary. Possibly twenty-five (25) percent of the property drains in this direction. The remaining property drains to the south in two (2) locations into Forest Acres, Section 2.

Recently, the Environmental Engineering Department has been made aware of off-site drainage problems to the south of the property. Specifically, the Forest Acres Subdivision, recorded in 1959, was developed prior to the County's enforcement of storm water regulations. Improvements would be necessary as the existing storm water conveyance systems are not adequate. As a result, the Environmental Engineering Department recommends that a post development drainage study be performed from the southern property line of the project through the existing downstream neighborhoods through the culvert under Cherylann Road to determine drainage deficiencies. From this study, the applicant should commit to performing both on- and off-site drainage

improvements that would provide the study area with a storm drainage capacity that meets, to the maximum extent practicable, minimum standards required for manmade drainage improvements and flood plain management. Proffered Condition 9 commits to this study and to the drainage improvements suggested by this study.

The property is wooded and, as such, should not be timbered without obtaining a land disturbance permit from the Department of Environmental Engineering. This will ensure that adequate erosion control measures are in place prior to any land disturbance. Proffered Condition 3 does not address this concern. As written, Proffered Condition 3 only requires a land disturbance permit for any activity associated with development of the property. The typical proffered limitation on timbering would prohibit any timbering without a land disturbance permit. Proffered Condition 3 should not be accepted and the applicant should address potential erosion impacts associated with any timbering.

PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program and further detailed by specific department, herein. This development will have an impact on these facilities.

Fire Service:

The Public Facilities Plan indicates that fire and emergency medical service (EMS) calls are expected to increase forty-four (44) to seventy-eight (78) percent by 2022. Six (6) new fire/rescue stations are recommended for construction by 2022 in the Plan. In addition to the six (6) new stations, the Plan also recommends the expansion of five (5) existing stations. Based on forty-four (44) dwelling units, this request will generate approximately nine (9) calls for fire and emergency medical service each year. The applicant has not adequately addressed the impact of this development on fire and EMS facilities. (Proffered Condition 2)

The Courthouse Road Fire Station, Company Number 20 provides fire protection and emergency medical service. When the property is developed, the number of hydrants, quantity of water needed for fire protection, and access requirements will be evaluated during the plans review process.

The applicant has requested not to make a street connection to each of the four (4) existing stub roads. In addition to these connections possibly being required to satisfy ordinance requirements for the number of access points into this proposed development, in an emergency situation, these connections would benefit both the applicant's project and the surrounding developments. The Fire Department continues to support connectivity between subdivisions so that multiple access points are available to assist in an emergency response.

Schools:

Approximately twenty-four (24) students will be generated by this development. Currently this site lies in the Reams Elementary School attendance zone: capacity - 661, enrollment - 560; Providence Middle School zone: capacity - 1,089, enrollment - 993; and Monacan High School zone: capacity - 1,692, enrollment - 1,642. The enrollment is based on September 30, 2005 and the capacity is as of 2005-2006. This request will have an impact on all schools. There are currently eight (8) trailers at Providence Middle that are used for various programs.

This case, combined with other tentative residential developments and zoning cases in the area, would continue to push these schools to capacity, especially at the secondary level. This case could necessitate some form of relief in the future. The applicant has not adequately addressed the impact of this development on school facilities. (Proffered Condition 2)

Libraries:

Consistent with the Board of Supervisors' policy, the impact of development on library services is assessed County-wide. Based on projected population growth, the Public Facilities Plan identifies a need for additional library space throughout the County.

Development of the property noted in this case would most likely impact the existing La Prade Library, the existing Clover Hill Library or a proposed new branch in the Reams-Gordon area. A need for additional library space in this area of the County is identified in the Plan. The applicant has not adequately addressed the impact of this development on library facilities. (Proffered Condition 2)

Parks and Recreation:

The Public Facilities Plan identifies the need for three (3) new regional parks, seven (7) community parks, twenty-nine (29) neighborhood parks and five (5) community centers by 2020. In addition, the Plan identifies the need for ten (10) new or expanded special purpose parks to provide water access or preserve and interpret unique recreational, cultural or environmental resources. The Plan identifies shortfalls in trails and recreational historic sites.

The applicant has not adequately addressed the impact of this development on park facilities. (Proffered Condition 2)

Transportation:

The property (22.6 acres) is currently zoned Agricultural (A), and the applicant is requesting rezoning to Residential (R-12). Based on single-family trip rates, development could generate approximately 470 average daily trips. These vehicles could be distributed through streets in Briarcliff, Heatheridge, Lake Crystal Farms and Forest Acres

Subdivisions to Courthouse Road and Adkins Road which had 2004 traffic counts of 45,119 and 2,789 vehicles per day (VPD), respectively, and to Reams Road which had a 2005 traffic count of 12,555 vehicles per day.

The property has potential access through four (4) stub road rights of way: Marblethorpe Road at two (2) locations, North Vickilee Road and Vickilee Road. Included in the Subdivision Ordinance is the Planning Commission's Stub Road Policy. The Policy suggests that subdivision streets anticipated to carry 1,500 VPD or more should be designed as "no-lot frontage" collector roads. Traffic generated by this development could travel along streets in Briarcliff, Heatheridge, Lake Crystal Farms and Forest Acres Subdivisions. Those streets were developed prior to the adoption of the Stub Road Policy. Marbleridge Road (2004 traffic count of 1,705 VPD), Cherylann Road (2005 traffic count of 2,474 VPD) and Ronaldton Road (2005 traffic count of 1,358 VPD) are some of the subdivision streets that are anticipated to be used in traveling to and from this proposed development. Traffic volumes on Marbleridge Road and Cherylann Road currently exceed the acceptable subdivision street volume as defined by the Stub Road Policy. However, there is no means of accessing this proposed development that would eliminate accessibility to those streets.

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. Courthouse Road, Reams Road and Adkins Road will be directly impacted. Courthouse Road is a six-lane divided facility, and its capacity is acceptable (Level of Service C) for the volume (45,119 VPD) of traffic it currently carries. Sections of Reams Road have twenty (20) to twenty-two (22) foot wide pavement with one (1) foot wide shoulders and substandard vertical and horizontal alignments. Based on the volume of traffic it currently carries (12,555 VPD), this road operates at capacity (Level of Service E). No road improvement projects in this part of the county are included in the Six-Year Improvement Plan, except for safety improvement projects to construct turn lanes at various intersections along Reams Road between Adkins Road and Wadsworth Drive. The applicant has proffered to contribute some money towards mitigating the traffic impacts of the proposed residential development (Proffered Condition 2). The proffered amount is not consistent with the Board of Supervisors' Policy. Therefore, the Transportation Department cannot support this request.

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	44*	1.00
Population Increase	119.68	2.72
Number of New Students		
Elementary	10.25	0.23
Middle	5.72	0.13
High	7.44	0.17
TOTAL	23.41	0.53
Net Cost for Schools	235,312	5,348
Net Cost for Parks	26,576	604
Net Cost for Libraries	15,356	349
Net Cost for Fire Stations	17,820	405
Average Net Cost for Roads	393,448	8,942
TOTAL NET COST	688,512	15,648

*Based on an average actual density of 1.99 dwelling units per acre. Actual number of lots and corresponding impact may vary.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries and fire stations at $15,648 per unit. The applicant has been advised that a maximum proffer of $15,600 per unit would defray the cost of the capital facilities necessitated by this proposed development. The applicant has offered $5,000 per dwelling unit (Proffered Condition 2). The proffered condition does not allow for escalation of the payment. The proffer as offered does not adequately address the impact of this proposed development on capital facilities; consequently, the County's ability to provide adequate facilities will be adversely affected.

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case. Staff recommends the applicant fully address their impact on all categories of capital facilities.

The Planning Commission and the Board of Supervisors, through their consideration of this request, may determine that there are unique circumstances relative to this request that may justify acceptance of proffers as offered for this case.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Northern Area Land Use Plan which suggests the property is appropriate for medium density residential use of 1.51 to 4.0 units per acre.

The property lies within the boundaries of the draft Northern Courthouse Road Plan Amendment.

Area Development Trends:

Surrounding properties are zoned Residential (R-15, R-9 and R-7) and are developed as part of the Briarcliff, Heatheridge and Forest Acre Subdivision developments or are zoned Agricultural (A) and occupied by single family dwellings on acreage parcels. It is anticipated that any residential redevelopment of acreage properties in this general area will be consistent with the recommended densities of the Plan.

Comparison of Lot Sizes and Density:

Currently, the Ordinance requires a minimum lot size of 12,000 square feet in a Residential (R-12) District. Access to the subject property may be provided through Briarcliff, Heatheridge or Forest Acres Subdivisions. Briarcliff Subdivision, Section 4, contains an average lot size of 12,600 square feet and density of 2.9 dwelling units per acre; Heatheridge Subdivision, Section 2, contains an average lot size of 13,500 square feet and a density of 2.7 dwelling units per acre; and Forest Acres Subdivision, Sections C and D together contain an average lot size of 17,400 square feet and a density of 2.1 dwelling units per acre. In an effort to address compatibility with adjacent developments through which this property may have sole access, the applicant has addressed average lot sizes and densities consistent with those of the aforementioned adjacent subdivisions. (Proffered Conditions 6, 7 and 8)

Dwelling Size and Foundation Treatment:

Proffered Conditions 4 and 5 address minimum square footages for dwellings and foundation treatment.

Street Connectivity:

The property has potential access through four (4) stub road rights of way. The applicant has requested a waiver to the "Residential Subdivision Connectivity Policy" to permit connection to only one or more of these stub roads. In addition to promoting fire and emergency services safety, subdivision road connections provide interconnectivity between residential developments, thereby reducing congestions along collector and arterial roads and providing a convenient and safe access to neighboring properties.

The "Policy" allows the Board, through the Commission's recommendation, to waive the requirement for streets in new subdivisions to connect to adjacent public streets that are designed as local streets, residential collectors and thoroughfare streets. Staff must evaluate this waiver based upon three (3) criteria: (1) there must be a sufficient number of other stub streets to adequately disperse traffic and not cause a concentrated use of any one (1) stub street; or (2) the connection to a particular stub will cause concentrated traffic at that location; (3) the projected traffic volume on any one (1) local street within an existing subdivision exceeds 1,500 vehicle trips per day. As previously noted, streets within the adjacent Briarcliff, Heatheridge, Lake Crystal Farms and Forest Acres Subdivisions were developed prior to the adoption of the 1,500 vehicles per day (VPD) limitation and, as such, several currently exceed this limitation. However, maintaining all available stub road connections should disperse the traffic generated by this proposed development. Limiting stub road connections would put the traffic burden on particular stub road(s) in violation of the "Policy" standards. As such, staff does not support the exception to connectivity.

CONCLUSIONS

The proposed zoning and land uses conform to the Northern Area Land Use Plan which suggests the property is appropriate for medium density residential use of 1.51 to 4.0 units per acre. The proffered conditions do not adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the needs for roads, schools, parks, libraries and fire stations is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions do not adequately mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens. In addition, the application fails to address potential erosion concerns.

Further, the application fails to address the standards by which an exception to street connectivity should be granted per the Board's adopted "Residential Subdivision Connectivity Policy". Specifically, limiting stub road connections would cause a concentrated use of particular stub roads and would not adequately disperse the traffic from this proposed development.

Given these considerations, staff recommends approval of the rezoning (Request I) subject to the applicant adequately addressing impacts on capital facilities and erosion, as discussed herein. Further, staff recommends denial of the waiver to street connectivity requirements (Request II).

CASE HISTORY

Planning Commission Meeting (12/15/05):

At the request of the applicant, the Commission deferred this case to February 21, 2006.

Staff (12/16/05):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than December 20, 2005, for consideration at the Commission's February 21, 2006, public hearing.

Also, the applicant was advised that a $250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (12/21/05):

The deferral fee was paid.

Applicant (1/6/06):

Revised proffered conditions were submitted.

Area Property Owners, Applicant and Staff (1/19/06):

A meeting was held to discuss this request. Concerns included connectivity to area roads and the potential transportation impacts; and drainage impacts on Forest Acres Subdivision.

Applicant (1/26/06, 2/8/06 and 2/21/06):

Revised proffered conditions were submitted.

Planning Commission Meeting (2/21/06):

The Commission deferred this request to April 18, 2006, thirty (30) days on their own motion and thirty (30) days at the applicant's request.

Staff (2/22/06):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than March 27, 2006, for consideration at the Commission's April 18, 2006, public hearing.

Also, the applicant was advised that a $500.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (3/3/06):

The deferral fee was paid.

Applicant (3/27/06):

Revised proffered conditions were submitted.

Planning Commission Meeting (4/18/06):

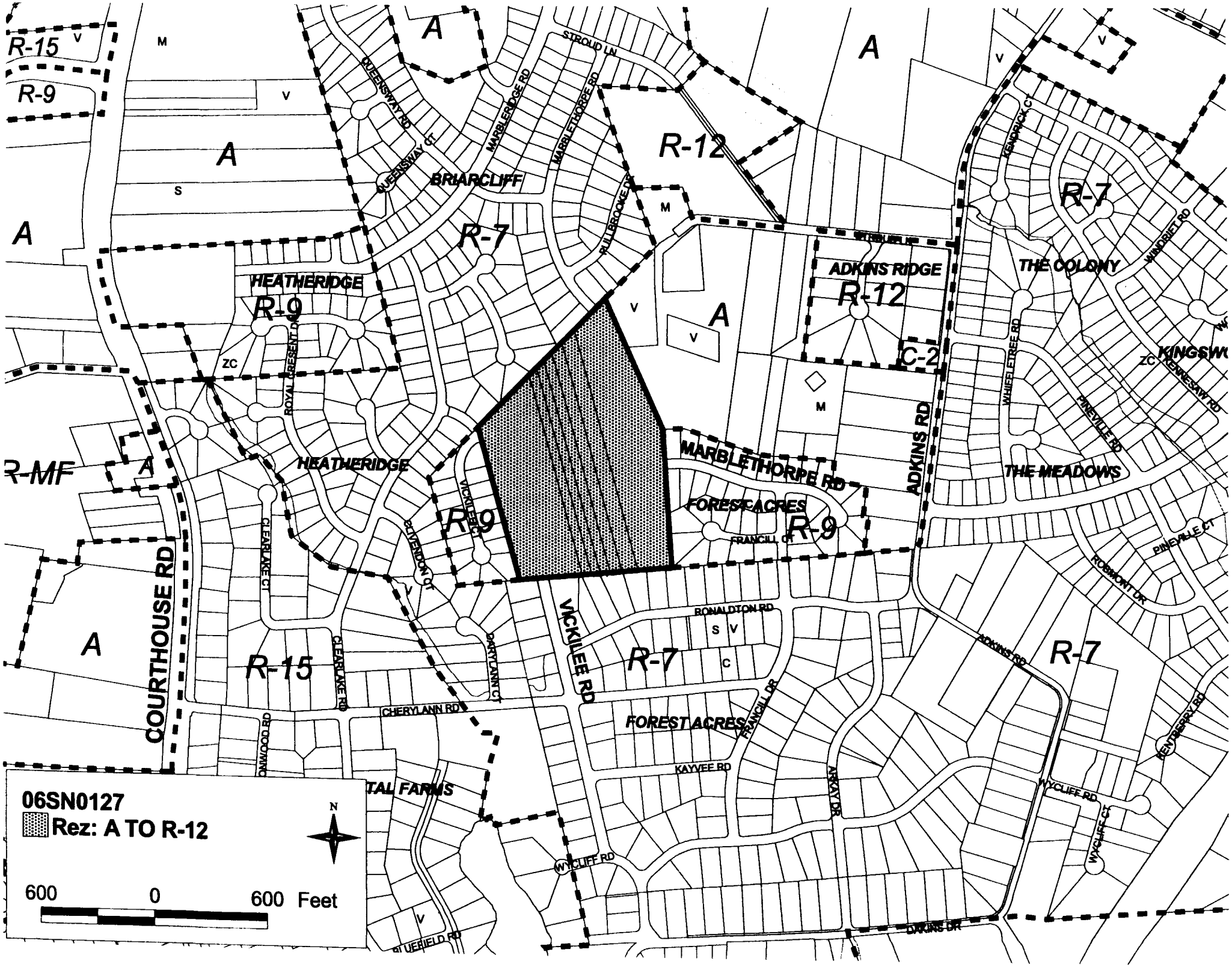
On their own motion, the Commission deferred this case to June 20, 2006.

Staff (4/19/06):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than April 24, 2006, for consideration at the Commission's June 20, 2006, public hearing.

Staff (5/19/06):

To date, no new information has been submitted.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ADKINS RIDGE
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WINDRIET RD
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ADKINS RD
THE MEADOWS
PINEVILLE CT
ROSMONT DR
VICKILEE CT
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