~~May 16, 2006 CPC~~
~~June 20, 2006 CPC~~
July 26, 2006 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06SN0237

Watermark Town Center LLC

Dale Magisterial District
Hopkins Elementary, Falling Creek Middle, and Bird High Schools Attendance Zones
West line of Iron Bridge Road

REQUESTS:

I. Rezoning from Agricultural (A) and Residential (R-7) to Community Business (C-3) with Conditional Use to permit multifamily and townhouse uses plus Conditional Use Planned Development to permit exceptions to Ordinance requirements.

II. Waiver to street connectivity requirements to Hill Road and Old Zion Hill Road.

PROPOSED LAND USE:

A mix of residential, office and commercial uses is proposed. A maximum of 650 residential units to include cluster residential, townhouse and multifamily, as well as a maximum of 220,000 gross square feet of commercial and office uses is planned. (Proffered Condition 4)

PLANNING COMMISSION RECOMMENDATION

REQUEST I: RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS ON PAGES 3 THROUGH 8.

AYES: MESSRS. GECKER, BASS, GULLEY AND LITTON.
ABSENT: MR. WILSON.

REQUEST II: RECOMMEND APPROVAL OF RELIEF TO STREET CONNECTIVITY REQUIREMENTS.

AYES: MESSRS. GECKER, BASS, GULLEY AND LITTON.
ABSENT: MR. WILSON.

STAFF RECOMMENDATION

Request I: Recommend denial of the rezoning and Conditional Use for the following reasons:

A. The proposed zoning and land uses do not conform to the Central Area Plan which suggests the property is appropriate for mixed use corridor use and residential use of 1.0 – 2.5 dwelling units per acre. The Plan also notes new multifamily development is generally not appropriate north of Route 288.

B. The proposed zoning and land uses are not representative of or compatible with existing and anticipated area development.

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 fully mitigate the impact on capital facilities, thereby not 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 requirements and that Proffered Condition 6 not be accepted. This recommendation is made for the following reason:

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

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITIONS

The Owners and the Developer (the "Developer") in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the development of the Property known as Chesterfield County Tax Identification Number 771-677-3871 (the "Property") under consideration will be developed according to the following conditions if, and only if, the rezoning request for C-3 with a conditional use planned development (CUPD) is granted. In the event the request is denied or approved with conditions not agreed to by the Developer, the proffers and conditions shall immediately be null and void and of no further force or effect. If the zoning is granted, these proffers and conditions will supersede all proffers and conditions now existing on the Property.

(CPC) 1. Master Plan. The textual statement dated January 18, 2006, last revised June 14, 2006, shall be considered the Master Plan. (P)

(CPC) 2. Utilities. The public water and wastewater systems shall be used, except for model homes/sales offices not in permanent dwellings and/or construction offices. (U)

(CPC) 3. Timbering. With the exception of timbering which has been approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)

(CPC) 4. Density. The maximum number of dwelling units developed on the Property shall be 650. Commercial and office uses shall be limited to a total maximum of 220,000 gross square feet. Of the 650 units, a maximum of 200 Small Lot Units, a maximum of 400 multi-family units, and a maximum of 325 townhomes shall be permitted. Within these maximums, the following minimums shall also be provided: a minimum of fifty (50) townhomes; a minimum of thirty (30) Small Lot Residential Units; a minimum of one hundred (100) apartments; and a minimum of 50,000 square feet of non-residential uses provided at least 20,000 square feet of the 50,000 square feet is office. Any commercial or office square footage located within the live/work units shall count toward the non-residential minimums. (P)

(CPC) 5. Location of Uses. Any permitted use may be permitted within the same building, block, street, or section of street in order to facilitate the mixed-use nature of the development. Limitations to this provision are set out in the Textual Statement. (P)

(CPC) 6. Connectivity. There shall be no connection to Hill Road and Old Zion Hill Road from the Property. (P & T)

(CPC) 7. Lighting.

A. Except for decorative lighting attached to a building, the maximum height of lampposts shall be 30 feet. Exterior lighting shall meet the requirements of the Zoning Ordinance except that porch lights, lamps, decorative, and period lighting that is in keeping with the pedestrian oriented character of Watermark shall be permitted.

B. Streetlight fixtures, poles, and lamp types shall be consistent along a street. The selected streetlight shall be compatible with the pedestrian oriented character of Watermark. The exact type of streetlight(s) and the locations shall be determined at the time of site plan review. (P)

(CPC) 8. Open Space. At a minimum, the following Open Space areas shall be provided:

A. Within the Property, a minimum of 15 percent of the gross acreage shall be devoted to open space.

B. Of this open space, a minimum of 6.0 acres shall be usable to accommodate recreational and social gathering areas for residents and employees. Facilities to accommodate these uses shall be provided in the open space and can include, but not be limited to, pavilions, gazebos, neighborhood parks, trails, hardscaped areas with benches, and other amenities to facilitate community use. This open space shall include the clubhouse, which shall serve as a focal point and gathering place for the residents. Prior to the issuance of more than 300 residential certificates of occupancy, the clubhouse and pool shall be completed.

C. Of the 6.0 acres identified above, a minimum of 2.0 acres shall be located within Tract A and a minimum of 2.0 acres shall be located within Tract B. This acreage may be consolidated in one location or scattered throughout the Tract, as determined at the time of tentative subdivision or site plan review. (P)

(CPC) 9. Age Restriction. Except as otherwise prohibited by the Virginia Fair Housing Law, the Federal Fair Housing Act, and such other applicable federal, state or local legal requirements, dwelling units designated as age-restricted shall be restricted to "housing for older persons; as defined in the Virginia Fair Housing Law and no persons under 19 years of age shall reside therein." (P)

(CPC) 10. Senior Housing. Any dwelling units designated for senior housing as defined in Proffered Condition 9 shall be noted on the site plan or

subdivision plat. Such dwelling units shall be grouped together as part of the same development section(s). (P)

(CPC) 11. Cash Proffers. The applicant, subdivider, or assignee(s) shall pay the following to the County of Chesterfield prior to the issuance of any residential building permit for infrastructure improvements within the service district for the Property in excess of 150 dwelling units:

A. $15,600.00 per dwelling unit if paid prior to July 1, 2006. Thereafter, such payment shall be the amount approved by the Board of Supervisors not to exceed $15,600.00 per unit as adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2005 and July 1 of the fiscal year in which the payment is made if paid after June 30, 2006.

B. Provided, however, that if any residential building permits issued on the Property are for senior housing, as defined in the proffer on age-restriction, the applicant, sub-divider, or assignee(s) shall pay $10,269.00 per unit to the County of Chesterfield, prior to the time of issuance of a residential building permit, for infrastructure improvements within the service district for the Property if paid prior to July 1, 2006. The $10,269.00 for any units developed shall be allocated pro-rata among the facility costs as follows: $602 for parks, $348 for library facilities, $404 for fire stations, and $8,915 for roads. Thereafter, such payment shall be the amount approved by the Board of Supervisors not to exceed $10,269 per unit as adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2005 and July 1 of the fiscal year in which the payment is made if paid after June 30, 2006.

C. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the Property, the amount paid in cash proffers shall be in lieu of or credited toward, but not in addition to, any impact fees, in a manner as determined by the county. (B&M)

(CPC) 12. Access.

A. Direct vehicular access from the Property to Iron Bridge Road (Route 10) shall be limited to two (2) public roads, including Kingsland Glen Extended. Kingsland Glen Extended shall align the existing crossover on Route 10 that serves Tucker Road. The other public road shall generally be located towards the southern Property line. The exact location of these accesses shall be approved by the Transportation Department.

B. Prior to site plan or tentative subdivision approval, whichever occurs first, an access plan for Kingsland Glen Extended shall be submitted to and approved by the Transportation Department. Vehicular access from the Property to Kingsland Glen Extended shall conform to the approved access plan. (T)

(CPC) 13. Dedication. The following rights-of-way shall be dedicated, free and unrestricted, to Chesterfield County in conjunction with recordation of the initial subdivision plat or prior to the first site plan approval or within sixty (60) days from the date of a written request by the Transportation Department, whichever occurs first:

A. One hundred (100) feet of right-of-way on the west side of Route 10 measured from the centerline of the existing Route 10 right-of-way along that part of Route 10 immediately adjacent to the Property.

B. Seventy (70) foot wide right-of-way for an east/west collector ("Kingsland Glen Extended") from the western Property line, through the Property to Route 10. The exact location of this right-of-way shall be approved by the Transportation Department. (T)

(CPC) 14. Transportation Improvements. To provide an adequate roadway system, the Developer shall be responsible for the following improvements. If any of the improvements are provided by others then the specific required improvement shall no longer be required of the Developer. The exact design and length of these improvements shall be approved by the Transportation Department:

A. Construction of an additional lane of pavement along the southbound lanes of Route 10 for the entire Property frontage, exclusive of the existing lake area.

B. Construction of additional pavement along the southbound lanes of Route 10 at each public road intersection to provide separate right turn lanes, based on Transportation Department standards.

C. Construction of additional pavement along the northbound lanes of Route 10 at the crossover that serves Kingsland Glen Extended to provide dual left turn lanes, with additional pavement along Kingsland Glen Extended to provide adequate receiving lanes.

D. Construction of a sidewalk to VDOT standards along Route 10 for the entire Property frontage, exclusive of the existing lake area.

E. Construction of a two-lane road for Kingsland Glen Extended, based on VDOT Urban Collector Standards (40 MPH) with modifications approved by the Transportation Department, from the western Property line, through the Property to Route 10.

F. Construction of additional pavement along Kingsland Glen Extended at its intersection with Route 10 to provide a five-lane divided typical section (i.e., three (3) eastbound lanes and two (2) westbound lanes).

G. Full cost of traffic signalization at the Route 10/Kingsland Glen Extended/Tucker Road intersection, if warranted, as determined by the Transportation Department.

H. Construction of additional pavement along Kingsland Glen Extended at each approved access to provide left and right turn lanes, if warranted, based on Transportation Department standards.

I. Dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvements identified in proffered condition 14.G. above. In the event the Developer is unable to acquire any "off-site" right-of-way that is necessary for the road improvements described in this Proffered Condition, the Developer may request, in writing, that the County acquire such right-of-way as a public road improvement. All costs associated with the acquisition of the right-of-way shall be borne by the Developer. In the event the County chooses not to assist the Developer in acquisition of the "off-site" right-of-way, the Developer shall be relieved of the obligation to acquire the "off-site" right-of-way and shall provide the road improvements within available right-of-way as determined by the Transportation Department. (T)

(CPC) 15. Phasing Plan. Prior to any site plan or prior to construction plan approval, whichever occurs first, a phasing plan for the required road improvements, as identified in Proffered Condition 14, shall be submitted to and approved by the Transportation Department. (T)

(CPC) 16. Covenants. At a minimum, the restrictive covenants shall contain language that addresses the following. Such covenant shall remain in place as long as the Property is used for residential purposes.

Future homeowners of the lots or units within the Property will have notice of the location of the Chesterfield County Airport and its proximity to the Property. Any subdivision plat or location plan used in any

condominium documents shall note the location of the Airport and its proximity to the Property. (P)

(CPC) 17. Public Roads. In tracts with townhouse and condominium uses, all roads that accommodate general traffic circulation through the development, as determined by the Transportation Department, shall be designed and constructed to VDOT standards and as set forth in the Textual Statement, and taken into the State System. (T)

GENERAL INFORMATION

Location:

Fronts the west line of Iron Bridge Road, north of Willowbranch Drive, also lying at the southern terminus of Manuel Street. Tax ID 771-677-3871.

Existing Zoning:

A and R-7

Size:

112.2 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - R-7; Single-family residential or vacant
South - R-7; Vacant
East - R-15, A and A with Conditional Use; Single-family residential, office or vacant
West - R-7: Single-family residential or vacant

UTILITIES

Public Water System:

There is a sixteen (16) inch water line extending along Iron Bridge Road, adjacent to this site. In addition a twelve (12) inch water line lies along a portion of Kingsland Glen Drive, terminating approximately 1,400 feet west of this site, and an eight (8) water line is along Manuel Street in Kings Forest Subdivision, Section 9, that terminates adjacent to this site. Use of the public water system to serve this development is intended. (Proffered Condition 2)

Public Wastewater System:

The request site is within the Kingsland Creek drainage basin. There is an eighteen (18) inch wastewater trunk line extending across this site following along Kingsland Creek. Use of the public wastewater system to serve this development is intended. (Proffered Condition 2)

ENVIRONMENTAL

Drainage and Erosion:

The subject property drains to the south to either Cosby Lake or directly into the perennial stream that discharges into the northern branch of Cosby Lake. There are no existing or anticipated on- or off-site drainage or erosion problems.

The site is wooded and, as such, should not be timbered without obtaining a land disturbance permit from the Department of Environmental Engineering (Proffered Condition 3). This will ensure adequate erosion control measure are in place prior to any land disturbance.

Water Quality:

There is a perennial stream on the property that discharges into the northern branch of Cosby Lake. This area is the headwaters of Kingsland Creek. This perennial stream is subject to a 100-foot conservation buffer and has limited uses.

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. The residential portion of 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 650 dwelling units, this request will generate approximately 128 calls for fire and EMS each year. The applicant has failed to fully address the impact on Fire and EMS facilities. (Proffered Condition 11)

The Fire Department supports making connections to Hill Road and Old Zion Hill Road. Having interconnectivity would improve public safety response time to residents by providing multiple means of access. Therefore, acceptance of Proffered Condition 6 is not recommended.

Dale Fire Station, Number 11 currently 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.

Schools:

Approximately 345 (Elementary: 150, Middle: 85, and High: 110) students will be generated by this development.

Currently, this site lies in the Hopkins Elementary School attendance zone: capacity - 515, enrollment – 537; Falling Creek Middle School zone: capacity – 1,036, enrollment – 1,190; and Bird High School zone: capacity - 1,722, enrollment - 1,835. The enrollment is based on September 30, 2005 and the capacity is as of 2005-2006.
This request will have an impact on area schools. There are currently four (4) trailers at Hopkins Elementary; seventeen (17) at Falling Creek Middle and five (5) at Bird High.

This case combined with other residential developments and zoning cases in the area, will continue to push these schools over capacity. Necessitating some form of relief in the future. The applicant has not offered to fully address the impact of this development on school facilities. (Proffered Condition 11)

Libraries:

Consistent with Board of Supervisors' policy, the impact of development on library services is assessed countywide. 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 affect either the Central Library or the Meadowdale Library. The Public Facilities Plan identifies a need to expand the Meadowdale Library. The applicant has not offered to fully address the impact of this development on library facilities. (Proffered Condition 11)

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 Public Facilities 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 offered measures to fully address the impact of this proposed development on these parks and recreation facilities. (Proffered Condition 11)

Transportation:

The property (112.2 acres) is currently zoned Agricultural (A) and Residential (R-7), and the applicant is requesting rezoning to Community Business (C-3) with Conditional Use to permit various types of residential uses. The applicant has proffered a maximum density of 650 residential units and 220,000 square feet of office/retail (Proffered Condition 4). Based on single-family, apartment, townhouse, office and shopping center trip rates, development could generate approximately 15,920 average daily trips. These vehicles will be initially distributed along Iron Bridge Road (Route 10) which had a 2001 traffic count of 26,219 vehicles per day, and to Cogbill Road which had a 2004 traffic count of 1,800 vehicles per day. The capacities of both these roads are acceptable (Level of Service C) for the volumes of traffic they carry.

The Thoroughfare Plan identifies Route 10 as a major arterial with a recommended right of way width of 120 to 200 feet. The applicant has proffered to dedicate one hundred (100) feet of right of way measured from the centerline of Route 10, in accordance with that Plan. (Proffered Condition 13.A)

The Thoroughfare Plan also identifies a proposed east/west collector ("Kingsland Glen Extended") with a recommended right of way width of seventy (70) feet, extending from Route 10 at the Tucker Road intersection through the property, across Cogbill Road to Belmont Road. A section of Kingsland Glen Extended, east of Cogbill Road, has been constructed in conjunction with development of Kingsland Glen Subdivision. The applicant has proffered to dedicate right of way and construct a two-lane road for Kingsland Glen Extended from Route 10 to the western boundary of the property. (Proffered Conditions 13.B and 14.E)

Access to major arterials, such as Route 10, and to collectors, such as Kingsland Glen Extended, should be controlled. The applicant has proffered that direct vehicular access from the property to Route 10 will be limited to two (2) public roads; Kingsland Glen Extended that will align Tucker Road and one (1) additional public road generally located towards the southern property line (Proffered Condition 12.A). The applicant has proffered that an access plan will be submitted, for Transportation Department review and approval, which shows access from the property to Kingsland Glen Extended (Proffered Condition 12.B). Access to Kingsland Glen Extended will be based on the approved access plan.

The property also has potential access through three (3) stub road rights-of-way; Manuel Street, Old Zion Hill Road and Hill 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. Based on the applicant's Conceptual Plan, if access was provided to all three (3) stub road rights-of-way it is anticipated that the connections to Manuel Street and Old Zion Hill Road would cause an increase in traffic on the adjacent subdivision streets to increase beyond the acceptable level established by the Policy. By eliminating those two (2) connections, traffic volume on Hill Road would then exceed that acceptable level. At

time of tentative subdivision plat review, staff will evaluate the proposed road network and provide specific recommendations per the Stub Road Policy.

As previously stated, the property will be developed for various types of residential uses. Staff recommends that all of the main streets in this project that serve residential development be accepted into the State Highway System. Having these streets accepted into the State Highway System will insure their long-term maintenance. The applicant has proffered that all of the streets that will accommodate general traffic circulation will be designed and constructed to State (i.e., the Virginia Department of Transportation) standards and taken into the State System. (Proffered Condition 17)

The traffic impact of this development must be addressed. The applicant has proffered the customary road improvements for a development of this density, such as construction of an additional lane of pavement and sidewalk along Route 10 for the entire property frontage (exclusive of the existing lake area), construction of Kingsland Glen Extended through the property, construction of turn lanes along Route 10 and along the Kingsland Glen Extended based on Transportation Department standards, and traffic signalization of the Kingsland Glen Extended/Route 10 intersection. (Proffered Condition 14)

Acquisition of "off-site" right-of-way is not anticipated to be necessary for the proffered road improvements. According to Proffered Condition 14, if the developer needs off-site right-of-way for the traffic signal at the Kingsland Glen Extended/Route 10 intersection and is unable to acquire it, the developer may request the county to acquire the right-of-way as a public road improvement. All costs associated with the acquisition will be borne by the developer. If the county chooses not to assist with the right-of-way acquisition, the developer will not be obligated to acquire the off-site right-of-way, and will only be obligated to construct road improvements within available right-of-way. (Proffered Condition 14.I)

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this residential development. The applicant has proffered to contribute cash towards mitigating the traffic impact of the development for any dwelling unit in excess of 150 (Proffered Condition 11). This proffer is not consistent with the Board of Supervisors' Policy. As development continues in this part of the county, traffic volumes on area roads will substantially increase. Cash proffers alone will not cover the cost of the improvements needed to accommodate the traffic increases. No public road improvements in this part of the county are currently included in the Six-Year Improvement Plan. Without the applicant addressing the full traffic impact of the residential development, the Transportation Department cannot support this request.

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	650*	1.00
Population Increase	1768	2.72
Number of New Students		
Elementary	151.45	0.23
Middle	84.50	0.13
High	109.85	0.17
TOTAL	345.80	0.53
Net Cost for Schools	3,476,200	5,348
Net Cost for Parks	392,600	604
Net Cost for Libraries	226,850	349
Net Cost for Fire Stations	263,250	405
Average Net Cost for Roads	5,812,300	8,942
TOTAL NET COST	10,171,200	15,648

* Based on a proffered maximum of 650 dwelling units (Proffered Condition 4). The actual number of dwelling units 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 been further advised that a maximum proffer of $10,269 per dwelling unit would defray the cost of the age-restricted portion of the proposed development, as it will not have an increased impact on school facilities.

The applicant has offered cash for each dwelling unit in excess of 150 (Proffered Condition 11). This would be equivalent to paying $12,000 per dwelling unit on the 650 units. The applicant has been advised that, per the cash proffer policy, credits are not given for those dwelling units permitted under existing conditions of zoning or agricultural lots. In instances where a development proposal includes substantial upgrades to current design/development standards and ordinance requirements, the Board may consider accepting reduced cash proffer payments. The applicant has indicated the project will have amenities that exceed the design/development standards and ordinance requirements of the existing R-7 zoning.

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 the impact of all units on 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 Central Area Plan which suggests the property is appropriate for mixed use corridor use, to include residential developments of various densities, as well as professional, business, industrial, and administrative offices with integrated supporting uses and for residential use of 1.0 – 2.5 dwelling units per acre. The Plan also notes new multifamily residential development is generally not appropriate north of Route 288.

Area Development Trends:

Adjacent property to the north, south and west is zoned Residential (R-7) and has been developed or planned for development for residential uses in the Ampthill Gardens, Kings Forest and Watermark subdivisions. Property to the east, across Route 10, residential and agricultural and is occupied by single-family residential or office uses or is vacant. The Central Area Plan anticipates residential and office uses continuing in the area and that such commercial uses as proposed with this development occurring further north around the Route 10/Irongate Drive intersection or south at the intersection of Route 10 and Kingsland/Beulah Roads.

Site Design:

The property is proposed for a mix of residential uses, to include cluster, townhouse and multifamily, commercial and office uses, as well as buildings that accommodate a mix of residential and non-residential uses. The development will have a traditional neighborhood design, generally in a "grid" layout similar to city blocks with buildings located close to sidewalks, and also incorporating street trees, open spaces and alleys serving the rears of many of the uses. (Textual Statement II)

The property is divided into three (3) development tracts as depicted in the Tract Plan prepared by Koontz-Bryant, P.C. last revised June 1, 2006. The Tracts' locations and sizes, including further divisions into Sub-tracts, may be modified so long as land use transitions and compatibility between different uses are addressed. Uses are to be located and developed as generally depicted on the Watermark Conceptual Plan – Use Locations last revised June 14, 2006 (Attachment), as described in the Textual Statement (Attachment) and as provided in the proffered conditions. It should be noted Exhibit B1

should be modified to clarify what, if any, uses are to be located on that portion of Tract B lying north of Tract A.

Unless specifically regulated by the Textual Statement, the development of commercial and office uses on the site must conform to the Emerging Growth District requirements of the Zoning Ordinance for Community Commercial (C-3) Districts. The purpose of the Emerging Growth District Standards is to promote high quality, well-designed projects. These standards address access, parking, landscaping, architectural treatment, setbacks, building height, signs, buffers, pedestrian access, lighting, utilities and screening of dumpsters, loading areas and outside storage.

Uses Permitted in all Tracts:

Passive and active recreational uses limited to facilities and uses that primarily serve the surrounding residential community would be permitted within all Tracts. The Textual Statement provides for setbacks, buffers and other restrictions to minimize the impact of such uses on adjoining properties designated on the Plan for residential development. Temporary model homes located in modular office units and the propagation and cultivation of crops, flowers, trees and shrubs would also be permitted throughout the project subject to minimum standards of the Ordinance relative to these uses. (Textual Statement III.A, B and C)

Uses and Special Development Standards: Specific Tracts:

Tract A:

Tract A, consisting of approximately 40.6 acres, represents the majority of the property that fronts along Route 10. This Tract represents the town center of the development, permitting a mix of commercial and office uses, as well as townhouse and multifamily units, Live/Work Units" and "Mixed Use Buildings" which accommodate multifamily residential uses on upper floors. Within Tract A, non-residential uses would be restricted to a limited number of uses permitted by right or with restrictions in the Community Business (C-3) District. In addition, model homes, public and private profit-making clubs, and bed and breakfast uses would be permitted, as well as fishing dock, boat dock, and/or boat house use in conjunction with recreational uses and accessory uses as allowed in R-TH, R-MF and C-3 Districts. (Textual Statement IV.A)

Design standards have been proposed to assist in integrating this town center with the adjacent Tract B in promoting community character. These include an overall architectural theme and maximum gross square footages for all commercial and office users as well as individual users. (Textual Statement III.H and Proffered Condition 4)

Except as modified in the Textual Statement, all uses in Tract A shall conform to the requirements of the Emerging Growth District Standards for office and commercial uses.

Tract B:

Tract B, located north, south and west of Tract A and consisting of approximately 67.8 acres, is proposed for development with detached small lot units, townhouses, multifamily units, public and private profit-making clubs, condominiums, family daycare homes, and Live/Work units. In addition, accessory uses as allowed in R-TH and R-MF Districts would be allowed. (Textual Statement IV.B.1)

Small lot detached units are to be developed on lots with a minimum area of 3,000 square feet and a lot width of not less than thirty (30) feet. Townhouse, Live/Work and multifamily units in this tract are to meet the requirements as set forth in the Textual Statement. (Textual Statement IV.B.2)

Tract C:

Tract C, the southwestern portion of the property, would be limited to single-family residential uses and those accessory uses permitted in a Residential (R-9) District. (Textual Statement IV.C.1)

These uses are to be accessed from and associated with an adjacent residential subdivision proposed to the south. Development in Tract C shall conform to the requirements of the Zoning Ordinance for R-9 Districts, except as modified in the Textual Statement. (Textual Statement IV.C)

Residential Density:

While the request will allow a maximum of 650 dwelling units, there is no commitment to how many of these units will be in each tract. As the land use plan suggests a density of from 1.0 to 2.5 dwelling units per acre for the greatest portion of Tract B, without a definite density (units per acre) figure staff is unable to indicate if Tract B complies with the Plan relative to density.

Parking:

The Ordinance requires the minimum provision of two (2) off-street parking spaces for each residential single family, multifamily and townhouse unit, except multifamily units restricted to "housing for older persons" which requires the minimum provision of 1.2 parking spaces for each such unit. The applicant is requesting that any "housing for older persons", to include single family and townhouse, provide a minimum of 1.2 parking spaces for each unit (Textual Statement II.F.3). All other residential uses would provide parking at a rate of 1.75 spaces per dwelling unit, except in Tract C, which shall have a provision of 2.0 spaces per dwelling unit. (Textual Statement II.F.2 and 5)

For commercial or office uses in Tract A, parking would be calculated at shopping center standards of 4.4 spaces for every 1000 gross square feet of uses. Given the urban character of this development, it would be appropriate to permit a reduction in the required spaces consistent with Ordinance requirements for Village Districts, or approximately 4.0 spaces for every 1000 gross square feet with a credit for on-street parking where permitted. The applicant is requesting that parking be provided at 3.4 spaces for every 1000 gross square feet of commercial and office uses in Tract A and 2.5 spaces for every dwelling unit associated with a Live/Work unit in Tracts A and B, with no provision for additional parking for the "work" portion of the unit. (Textual Statement II.F.4 and 6)

With no data to substantiate reduction in parking requirements for both age-restricted single family and townhouse residential products and mixed-use development, staff cannot support exceptions to the parking standards of the Ordinance beyond those for Village Districts. Further, the tracking of residential units separate from non-residential square footages for parking space provisions within the mixed use Tracts would be difficult to administer and enforce.

Parcel Frontage and Setbacks:

To accommodate a traditional neighborhood design, building setbacks will not be required from lot/parcel lines and internal road (Textual Statement III.J). Buildings may front on streets, and alley, open spaces, parking areas or courtyards with appropriate access easements. (Textual Statement III.I.)

Sidewalks, Street Trees and Open Space:

The applicant has agreed to provide sidewalks and street trees along each side of public streets, with the exception of Route 10 (Textual Statement III.D and E). Additionally, the applicant has offered to devote a minimum of fifteen percent (15%) of the gross acreage to open space. This equates to approximately 16.8 acres, of which a minimum of six (6) acres shall be useable to accommodate recreational and social gathering areas. Of the useable acreage, a minimum of two (2) acres is to be located in each of Tracts A and B (Proffered Condition 8). Proffered Condition 8 provides for the completion of a clubhouse and pool facility prior to the issuance of more than 300 residential certificates of occupancy. This presents a problem in that there is no guarantee 300 residential units will ever be constructed, therefore, these facilities may never be completed. In addition, any phasing of such facilities should coincide with plan approval rather than occupancy.

Location of Uses:

The applicant has indicated any permitted use may be allowed within the same building, block, street, or section of the development (Proffered Condition 5). While staff is aware of the mixed-use nature of the development, the mixing of non-residential uses with residential uses within the same building, beyond the Live/Work Units and Mixed-Use Buildings as provided in the Textual Statement, would not be appropriate.

Lighting:

In keeping with the pedestrian oriented character of the proposed project the applicant has agreed to provide pedestrian scale lighting. (Proffered Condition 7)

Restrictive Covenants:

Proffered Condition 16 requires the recordation of a restrictive covenant that addresses notification to future homeowners of the location of the Chesterfield County Airport and its proximity to the property. It should be noted that the County will not be responsible for enforcing the covenant, only that it be recorded. Once recorded, the restrictive covenant may be changed, except as noted in the proffer.

Street Connectivity:

Proffered Condition 6 prohibits connection to stub roads into the subject property from Hill Road and Old Zion Hill Road. In addition to promoting fire and emergency services safety, subdivision road connections provide interconnectivity between developments thereby reducing congestion along collector and arterial roads and providing a convenient and safe access to neighboring properties.

The "Residential Subdivision Connectivity 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; and (3) the projected traffic volume on any one (1) local street within an existing subdivision exceed 1,500 vehicle trips per day. The standards by which an exception to street connectivity should be granted have not been met. While a conceptual plan has been submitted with this application, without a commitment to a specific layout for this project there is insufficient data upon which to base the granting of a waiver to this requirement. As such, staff does not support the exception to connectivity and recommends that Proffered Condition 6 not be accepted.

Buffers and Screening:

Adjacent property to the north, south and west is zoned Residential (R-7). The Zoning Ordinance requires a minimum seventy-five (75) foot buffer along the northern, southern and western property boundary of the request site. At the time of site plan review, the Planning Commission may modify this buffer under certain circumstances.

CONCLUSIONS

The proposed zoning and land uses do not conform to the Central Area Plan which suggests the property is appropriate for mixed use corridor use and residential use of 1.0 – 2.5 dwelling units per acre. Appropriate uses in the mixed use corridor area would include residential developments of various densities, as well as professional, business, industrial, and administrative offices with integrated supporting uses. The Plan also notes new multifamily development is generally not appropriate north of Route 288. The Plan identifies potential sites for the commercial uses proposed by this request further north and south along the Route 10 corridor. Further, the proposed zoning and land uses are not representative of or compatible with existing and anticipated area development.

In addition, 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 fully mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

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

Given these considerations, denial of these requests is recommended.

CASE HISTORY

Planning Commission Meeting (5/16/06):

At the request of the applicant, the Commission deferred this case to June 20, 2006.

Staff (5/17/06):

The applicant was advised in writing that any significant new or revised information should be submitted no later than May 22, 2006, for consideration at the Commission's June 20, 2006, public hearing. Also, the applicant was advised that a $500.00 deferral fee must be paid prior to the Commission's public hearing.

Staff (6/12/06 and 6/14/06):

Revised proffers, Textual Statement and plans were submitted. The deferral fee has not been paid.

Applicant (6/19/06):

The applicant paid the deferral fee.

Planning Commission Meeting (6/19/06):

Mr. Wilson declared a conflict of interest and excused himself from the meeting.

The applicant did not accept staff's recommendation but did accept the Planning Commission's recommendation. There was opposition present. Concerns were expressed regarding land locking adjacent property and connectivity.

On motion of Mr. Litton, seconded by Mr. Gulley, the Commission recommended approval and acceptance of the proffered conditions on pages 3 through 8.

AYES: Messrs: Gecker, Gulley, Litton and Bass
ABSENT: Mr. Wilson

On motion of Mr. Litton, seconded by Mr. Gulley, the Commission recommended approval of relief to street connectivity requirements.

AYES: Messrs: Gecker, Gulley, Litton and Bass
ABSENT: Mr. Wilson

The Board of Supervisors, on Wednesday, July 26, 2006, beginning at 7:00 p.m., will take under consideration this request.

Watermark

Textual Statement

January 18, 2006
Revised May 22, 2006
Revised June 2, 2006
Revised June 9, 2006
Revised June 12, 2006
Revised June 14, 2006
Revised June 21, 2006

This application contains three exhibits described as follows:

Exhibit A – Plan titled "Tract Plan – Watermark Town Center, LLC" (the "Tract Plan"), prepared by Koontz-Bryant, P.C., last revised June 1, 2006.

Exhibit B – Plan titled "Watermark" (the "Conceptual Plan"), prepared by Land Planning Solutions, last revised June 2, 2006.

Exhibit B1 – Plan titled "Watermark Conceptual Plan – Use Locations," last revised June 14, 2006.

I. Rezone. Rezone 112.2± acres (the "Property") from R-7 and A to C-3 with Conditional Use to permit residential multifamily and townhouse uses and Conditional Use Planned Development ("CUPD") to permit exceptions to Ordinance requirements as set forth below.

II. General Conditions.

A. With the exception of the residential lots on Tract C, the development shall have a traditional neighborhood development design with a mix of residential and non-residential uses within blocks and/or within a building, buildings located close to the sidewalks and other buildings, the streets lined with trees and sidewalks, on-street parking, open spaces, and alleys serving the rears of many of the uses.

B. To accommodate the orderly development of the Property, the Tracts shall be located as generally depicted on the Tract Plan, but their location and size, including further divisions into Sub-Tracts (a designated portion of a Tract), may be modified (such as moving the location of a Tract boundary) so long as the parcels generally maintain their relationship with each other and any adjacent properties. A plan for Tract modification shall be submitted to the Planning Department for review and approval. Such plan shall be subject to appeal in accordance with the provisions of the Zoning Ordinance for Site Plan appeals. Sub-Tract divisions may be created at the time of Tentative Subdivision or Site Plan approval and shall not require a separate review as a Tract modification, provided there is no adjustment in the overall Tract boundary.

C. Development shall be designed as generally depicted on the Conceptual Plan. Specifically, the general relationship between the uses in each Tract to adjacent Tracts shall be maintained; within Tracts, development shall be generally designed in a "grid" layout similar to city blocks with parking areas, except for those parking areas located along streets, located in courtyards as further described herein; and with a pedestrian emphasis throughout the project. Further, the location of uses within each Tract may be modified so long as the nature of the transitions and separations between that Tract and adjacent Tracts as well as adjacent properties is maintained. A plan for modification to the Conceptual Plan shall be submitted to the Planning Department for review and approval. Such plan shall be subject to appeal in accordance with the provisions of the Zoning Ordinance for site plan appeals.

III. Requirements and Exceptions for All Tracts.

A. Recreational Facilities

1. Community recreational facilities shall be permitted for use by residents of the community. Separate recreation areas for the various types of residential units are not required. The recreational uses shall be limited to facilities and uses that primarily serve the surrounding residential community including but not limited to passive recreation (i.e.: formal courtyards, parks, plazas, tot-lots, mews, picnic areas, trails, paths, sidewalks, ponds, open space, and vistas) and active facilities (i.e.: swimming pools, outdoor courts, and clubhouses).

2. Outside public address systems or speakers shall not be used between the hours of 11:00 p.m. and 8:00 a.m. and shall only be used in conjunction with a pool.

3. With the exception of passive recreation, outdoor play fields, outdoor courts, swimming pools, and similar active recreational areas facilities shall be located a minimum of 100 feet from adjacent property external to the Watermark development and designated by the Comprehensive Plan for residential development. With the exception of playground areas which accommodate swings, jungle gyms or similar such facilities, outdoor play fields, courts, swimming pools and similar active recreation facilities shall be located a minimum of fifty (50) feet from existing or proposed public roads. Within the 100-foot setback, a fifty (50) foot buffer shall be provided along the perimeter of all active recreational facilities except where adjacent to any existing or proposed roads. This buffer shall conform to the requirements of the Zoning Ordinance for fifty (50) foot buffers. These buffers and setbacks may be modified by the Planning Commission at the time of plan review.

4. Any playground areas (i.e., areas accommodating swings, jungle gyms or similar such facilities) shall be located a minimum of forty (40) feet from

adjacent property external to the Watermark development and designated by the Comprehensive Plan for residential development. Within this forty (40) foot setback, a buffer (which may be less than 40' in width) shall be provided along the perimeter of these recreational facilities except where adjacent to any existing or proposed roads. This buffer shall conform to the requirements (except in width) of the Zoning Ordinance for fifty (50) foot buffers. These buffers and setbacks may be modified by the Planning Commission at the time of plan review.

B. Model homes.

1. Temporary model homes (sales offices), located in modular office units, shall be permitted.

2. The model homes (sales offices) shall only be used for sale of dwelling units in the development.

3. The model homes (sales offices) shall not be the primary real estate office for the companies marketing the development.

C. Propagation and cultivation of crops, flowers, trees, and shrubs that are not offered for sale, within the open space that is owned, operated, and maintained by a homeowner's association, including accessory structures related to such uses.

D. Sidewalks.

Generally, sidewalks shall be located on both sides of all public streets exclusive of Route 10. Sidewalks shall be provided to facilitate pedestrian access within the project inclusive of the property south of the lake.

E. Street Trees.

Street trees shall be planted or retained along each side of all public streets, with the exception of Route 10.

F. Parking.

1. If on-street parking is permitted, those spaces shall be counted towards the required number of parking spaces for all uses.

2. Except for "housing for older persons," Live/Work Units, and lots in Tract C, residential units shall provide parking based on 1.75 spaces per dwelling unit.

3. "Housing for older persons" shall provide parking based on 1.2 spaces per dwelling unit.

4. Live/Work Units shall provide parking based on 2.5 spaces per dwelling unit. There shall be no additional parking requirement for the first floor area devoted to commercial or office uses.

5. Residential units on Tract C shall provide parking based on 2.0 spaces per dwelling unit.

6. Commercial or office uses in Tract A shall provide parking based on 3.4 spaces/1,000 gross floor area.

7. Parking may be further reduced based on Zoning Ordinance Section 19-512.

8. Parking shall not be required on each parcel or site where the use is located, but rather may be provided off-site, including on-street parking, subject to approval at the time of plans review, which may include requirements for easements.

9. Parking areas, except for those located within streets, shall be generally located so as minimize their exposure to internal roads. Specifically, parking areas shall be located to the side or rear of buildings; no closer to rights-of-way than the fronts of buildings; and within courtyard areas such that the buildings provide a barrier between the road and the parking, as generally shown on the Conceptual Plan.

G. Public Streets.

As permitted by VDOT and the Chesterfield County Transportation Department, street design and pavement widths shall be based on VDOT's Subdivision Street Design Guide effective January 1, 2005. These standards allow for curb-to-curb widths of a twenty-two (22) foot width and a right-of-way of thirty (30) feet, based on average daily traffic. The minimum right-of-way shall be established at the time of Site Plan review based on the street layout.

H. Architectural Standards.

1. In conjunction with the initial Tentative Subdivision/Site Plan approval for development within Tracts A and B, a written and/or graphic description of the planned overall architectural treatment of all buildings within these Tracts (architectural theme) shall be submitted to the Planning Department for review and approval. Architectural treatment of buildings, including materials, color and style, shall be compatible within these Tracts. Compatibility may be achieved through the use of similar building massing, materials, scale, colors and other architectural features.

2. The maximum height for Mixed-Use Buildings, offices, or hotels shall be six (6) stories or eighty-five (85) feet, whichever is less. This height limit shall not restrict use of the roof of a six (6) story building for features such

as, but not limited to, patios, decks, or gardens. The maximum height of accessory buildings and structures shall be one-half the height of the principal building or 25 feet, whichever is less.

I. Frontage.

1. All buildings shall front on a street, alley, open space, parking area, or courtyard.

2. Except for development in Tract C and any Small Lot Detached Units in Tract B, road frontage for dwelling units shall not be required provided there is access to a public road via an easement or right of way and that such dwelling unit fronts on an alley, open space, parking area, or courtyard, as approved by the Planning and Transportation Departments.

J. Setbacks.

1. Except for Kingsland Glen Drive, all buildings (including accessory structures) along internal roads shall have zero (0) foot setback requirement for front, side, corner side, rear, and through lots. Provided however, that corner side yards shall meet sight distance requirements as may be established at the time of subdivision/site plan review.

2. Except for Kingsland Glen Drive, no setback from interior private driveways, parking areas, or streets shall be required for buildings or structures from any proposed or existing public road, except as provided in the proffers.

3. In Tract B, a twenty-five (25) foot building setback shall be provided along Kingsland Glen Drive.

K. Buffers.

1. In keeping with the mixed-use nature of the development, no buffers shall be required between various uses; however, landscaping shall be provided throughout the Property.

2. Except for Tract C, no residential street buffers as set forth in the Subdivision Ordinance shall be required. The sidewalks and street trees shall provide separation from the street and public areas.

L. Dwelling units. No more than sixteen (16) dwelling units shall be permitted within any one floor level of a building.

IV. Requirements for Specific Tracts.

A. Tract A.

1. Permitted uses shall be limited to:

a. In additional to the uses specified in Section III, uses permitted by right and with certain restrictions in the Community Business (C-3) District, plus townhouse and multifamily uses, except that the following uses shall not be permitted:

(i) Feed, seed and ice sales.

(ii) Fraternal uses.

(iii) Indoor flea markets.

(iv) Kennels, commercial.

(v) Material reclamation receiving centers.

(vi) Motor vehicle sales and rental.

(vii) Secondhand and consignment stores.

(viii) Taxidermies.

(ix) Warehouses.

b. Model homes, in accordance with Zoning Ordinance Section 19-65(a).

c. Live/Work Units, defined as Townhouses with first floor commercial or office uses with a residential unit on the upper floor(s). The first floor may be occupied by a different user than the occupant of the upper floors.

d. Public and private profit-making clubs.

e. Condominium units defined as a form of ownership where the land is held in common and the individual unit is held in fee. Any of the permitted uses may be designed as condominiums.

f. Mixed-Use Buildings, defined as multi-story buildings that accommodate a combination of commercial and/or office and/or residential uses within the same structure.

g. Bed and breakfast. A bed and breakfast is defined as a building or group of buildings designed for transient occupancy. The owner or

operator of the bed and breakfast may or may not live in the bed and breakfast. The bed and breakfast may contain areas for a central kitchen, meeting rooms, dining room, restaurant, and recreation room.

h. Fishing dock, boat dock, and/or boat house, and only in conjunction with the active recreational uses.

i. Accessory uses permitted in the R-TH, R-MF, and C-3 Zoning Districts, except as restricted herein.

2. Requirements.

a. Except for the exceptions and modifications to the Zoning Ordinance that are set out in the Textual Statement, all uses in Tract A shall conform to the requirements of the Emerging Growth District Standards for office and commercial uses.

b. With the exception of one user that shall not to exceed 70,000 gross square feet and a second individual commercial user that shall not exceed 50,000 gross square feet, no other individual commercial user shall exceed 20,000 gross square feet. Any individual commercial user that exceeds 10,000 square feet will not be attached to any other individual commercial user greater than 10,000 square feet.

c. Separation between buildings. There shall be a minimum separation of ten (10) feet between free-standing commercial buildings, freestanding mixed-use buildings, free-standing condominiums or multi-family buildings, rows of townhouses or live/work units, free-standing offices, bed and breakfast, and recreational buildings. These areas of separation shall be designed as pocket parks and/or as pedestrian accesses.

d. Townhouses and Live/Work Units

(i) Lot area and width. Each lot shall have an area of not less than 2,000 square feet and a lot width of not less than twenty (20) feet.

(ii) Percent of lot coverage. All buildings, including accessory buildings, shall not cover more than ninety (90) percent of the lot's area.

(iii) Front yard. Minimum of zero (0) feet in depth except as provided for along Kingsland Glen Drive.

(iv) Side yard. A side yard of not less than seven and a half (7.5) shall be provided for each end residence provided a minimum separation of fifteen (15) feet shall be provided between rows except as provided for along Kingsland Glen Drive.

(v) Rear yard. Minimum of zero (0) feet in depth except as provided for along Kingsland Glen Drive.

(vi) Height. Units shall be a minimum of two (2) stories and a maximum of four (4) stories.

(vii) Limitation on number of units. A maximum of twelve (12) townhouses or Live/Work units shall be permitted within a group of attached units.

e. Multifamily Units.

(i) Parcel area and density. There shall be no minimum parcel size. There shall be no maximum density other than the maximums set forth in the proffers.

(ii) Percent of lot coverage. All buildings, including accessory buildings, on any lot shall not cover more than ninety (90) percent of the lot's area.

(iii) All other requirements set forth in the R-MF required conditions shall be as set forth in the Textual Statement.

B. Tract B.

1. Permitted uses shall be limited to:

a. Detached Small Lot Units.

b. Townhouses.

c. Multi-Family.

d. Model homes, in accordance with Zoning Ordinance Section 19-65(a).

e. Public and private profit-making clubs.

f. Condominium units defined as a form of ownership where the land is held in common and the individual unit is held in fee. Any of the permitted uses may be designed as condominiums.

g. Live/Work units as defined in Tract A but limited to the following uses:

(i) Offices.

(ii) Art/crafts studio

(iii) Barber or beauty shop (no tanning or toning equipment).

(iv) Book store.

(v) Catering establishments.

(vi) Nursery school

(vii) Florist shop.

(viii) Interior design/decorating.

(ix) Jewelry, watch, and clock repair and engraving.

(x) Locksmith.

(xi) Eyewear sales and service.

(xii) Nail sculpture, manicurist.

(xiii) Photography studio.

(xiv) Picture framing.

(xv) Tailoring, dressmaking, upholstery shop.

(xvi) Tutoring, education or training (no more than five children or two adults at any one time).

h. Family day-care homes, provided that no more than five children exclusive of the provider's own children and any children who reside in the home receive care at any one time during a 24-hour day.

i. Accessory uses permitted in the R-TH and R-MF Zoning Districts.

2. Requirements.

a. Small Lot Detached Units

(i) Lot area and width. Each lot shall have an area of not less than 3,000 square feet and a lot width of not less than thirty (30) feet.

(ii) Percent of lot coverage. All buildings, including accessory buildings, shall not cover more than eighty (90) percent of the lot's area.

(iii) Front yard. Minimum of zero (0) feet in depth except as provided for along Kingsland Glen Drive.

(iv) Side yard. A side yard of not less than two and a half (2.5) feet and a minimum of five (5) feet shall be provided between each small lot residential unit except as provided for along Kingsland Glen Drive.

(v) Rear yard. Minimum of zero (0) feet in depth except as provided for along Kingsland Glen Drive.

(vi) Height. Small Lot Detached units shall be a maximum of three (3) stories.

b. Townhouses and Live/Work Units, except for the use limitation, shall conform to the same requirements set forth in Tract A.

c. Multifamily Units shall conform to the same requirements set forth in Tract A.

C. Tract C. Tract C is designed for single-family detached units. Tract C will be accessed and associated with the adjacent residential subdivision proposed south of the lake.

1. Uses.

a. Single family detached residential uses.

b. Accessory uses permitted in the R-9 Residential District.

c. Model homes, in accordance with Zoning Ordinance Section 19-65(a).

2. Requirements. Except as set out in Textual Statement, development in Tract C shall conform to the requirements of the R-9 Residential District.

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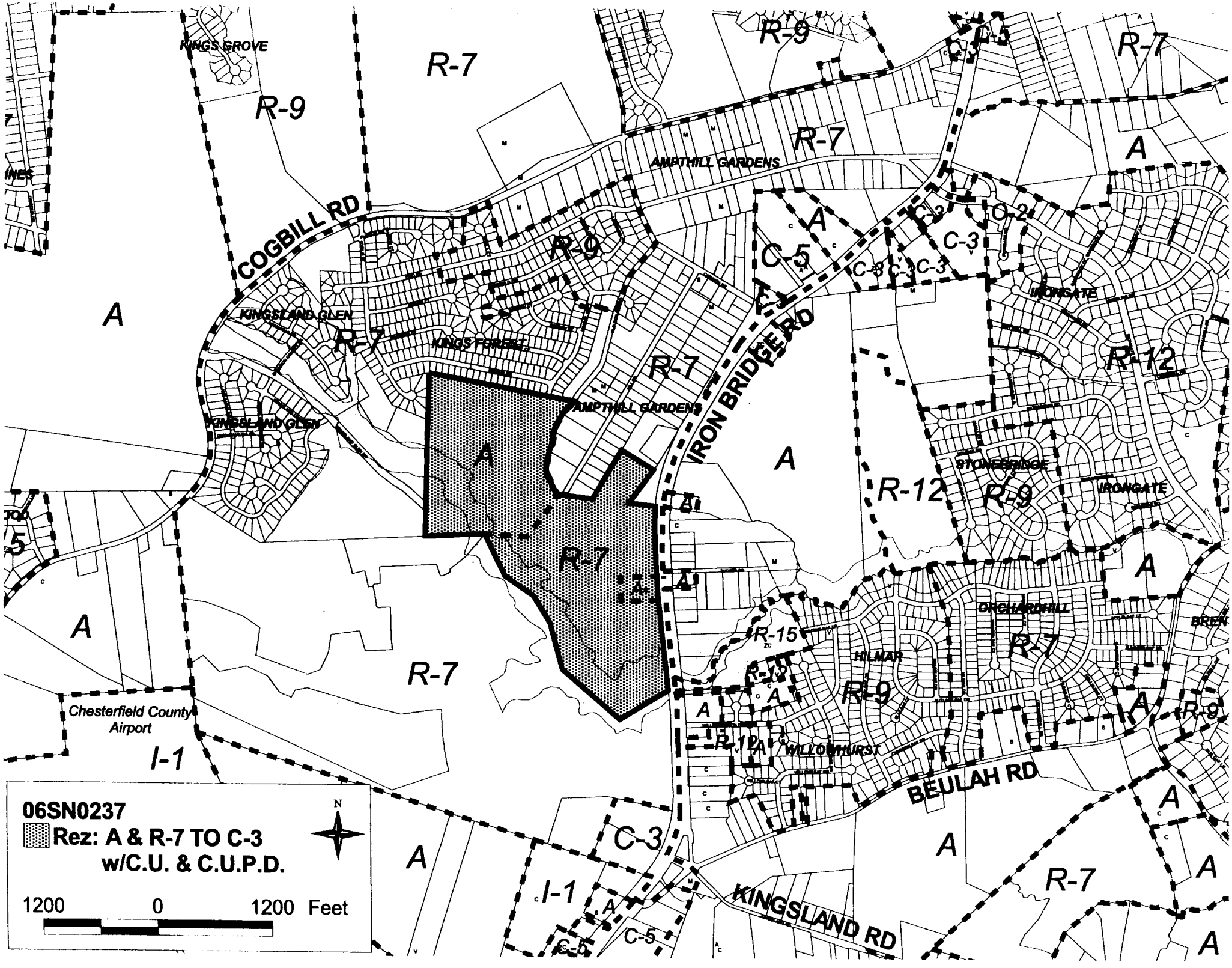

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KINGSLAND RD
KINGS GROVE
KINGSLAND GLEN
KINGS FOREST
AMPTHILL GARDENS
STONEBRIDGE
IRONGATE
ORCHARDHILL
HILMAR
WILLOWHURST
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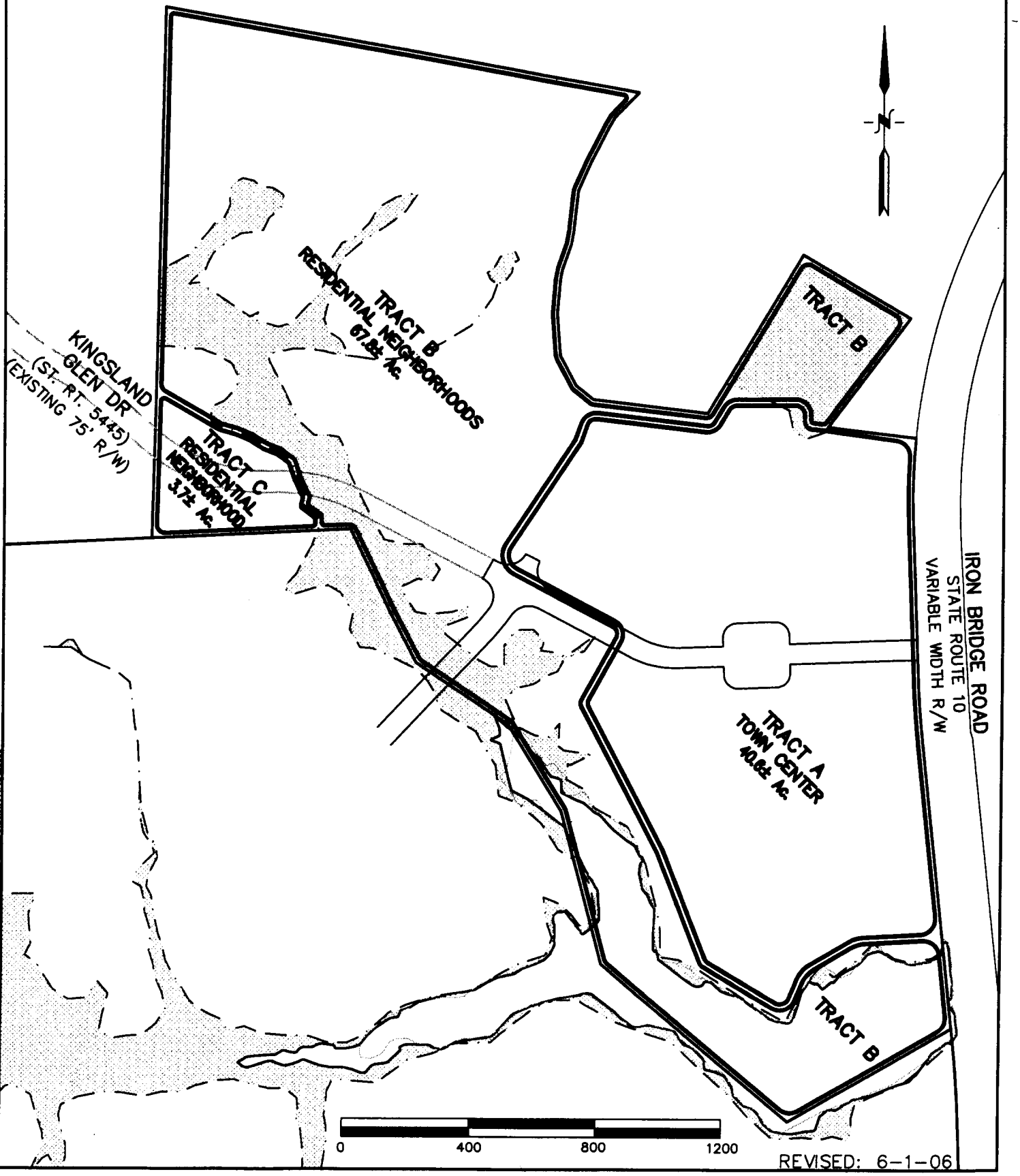
TRACT PLAN
WATERMARK TOWN CENTER, LLC



REVISED: 6-1-06

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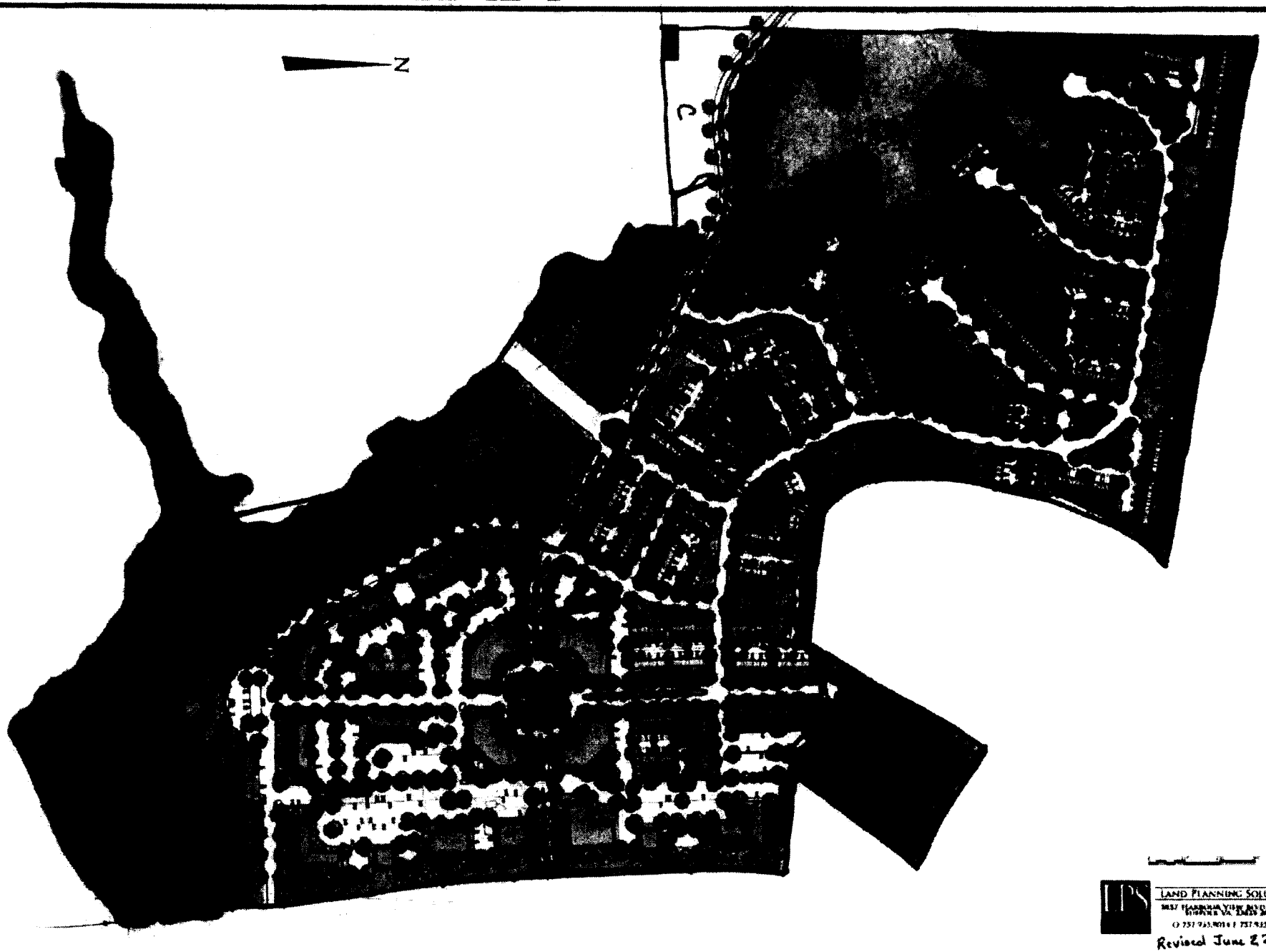
WATERMARK



LAND PLANNING SOLUTIONS

Revised June 2 2006

06SN0237-2

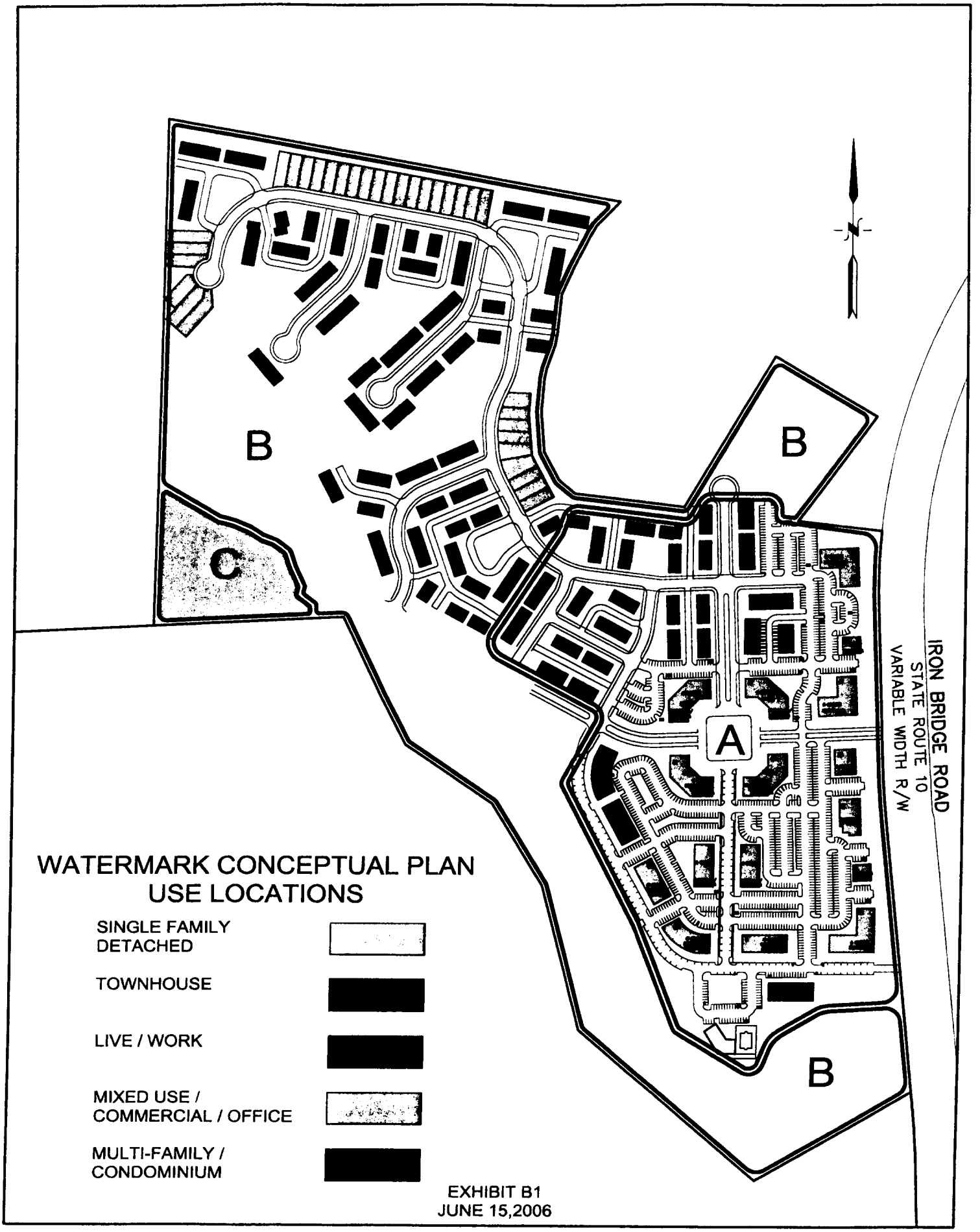
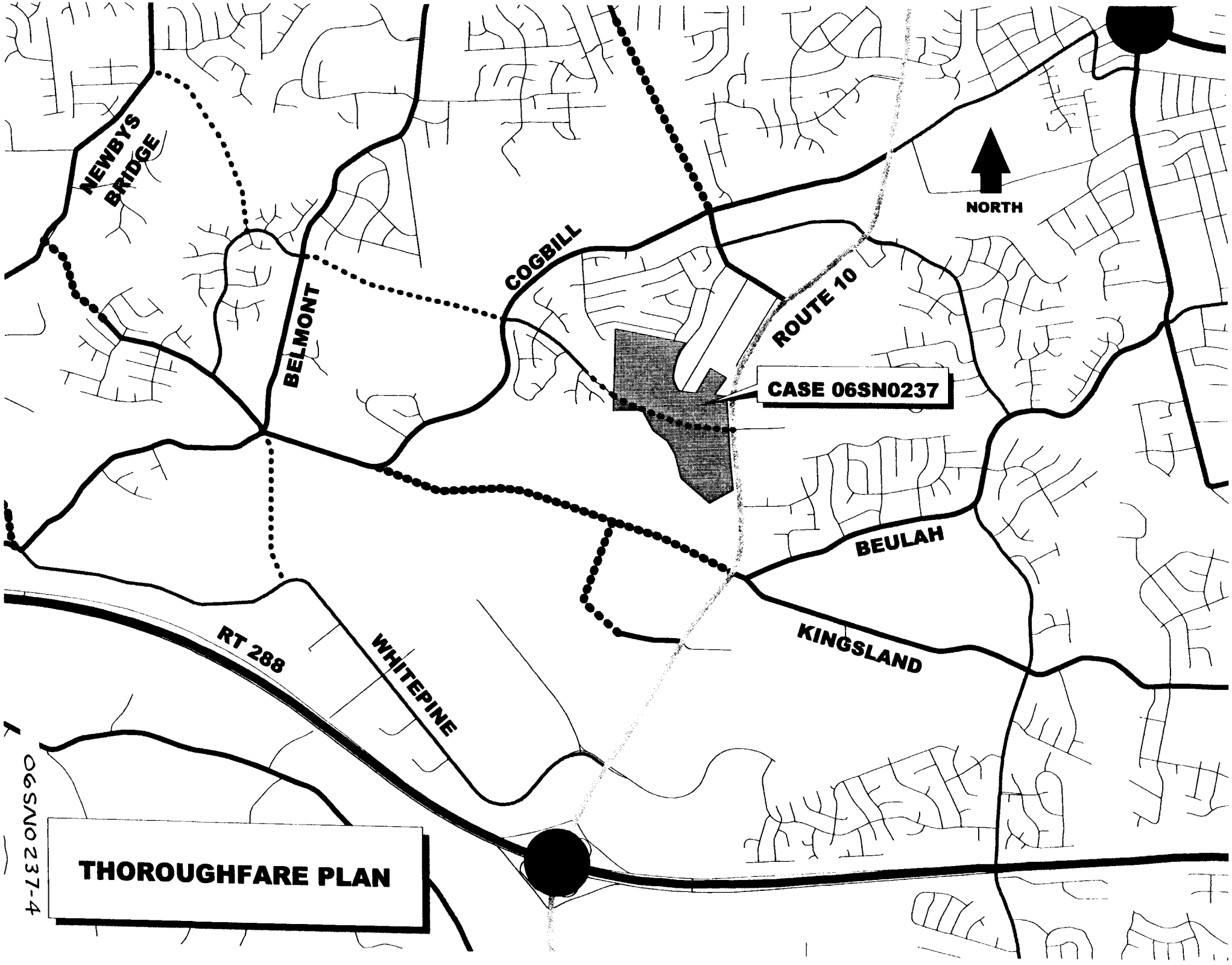


EXHIBIT B1
JUNE 15,2006

06SN0237-3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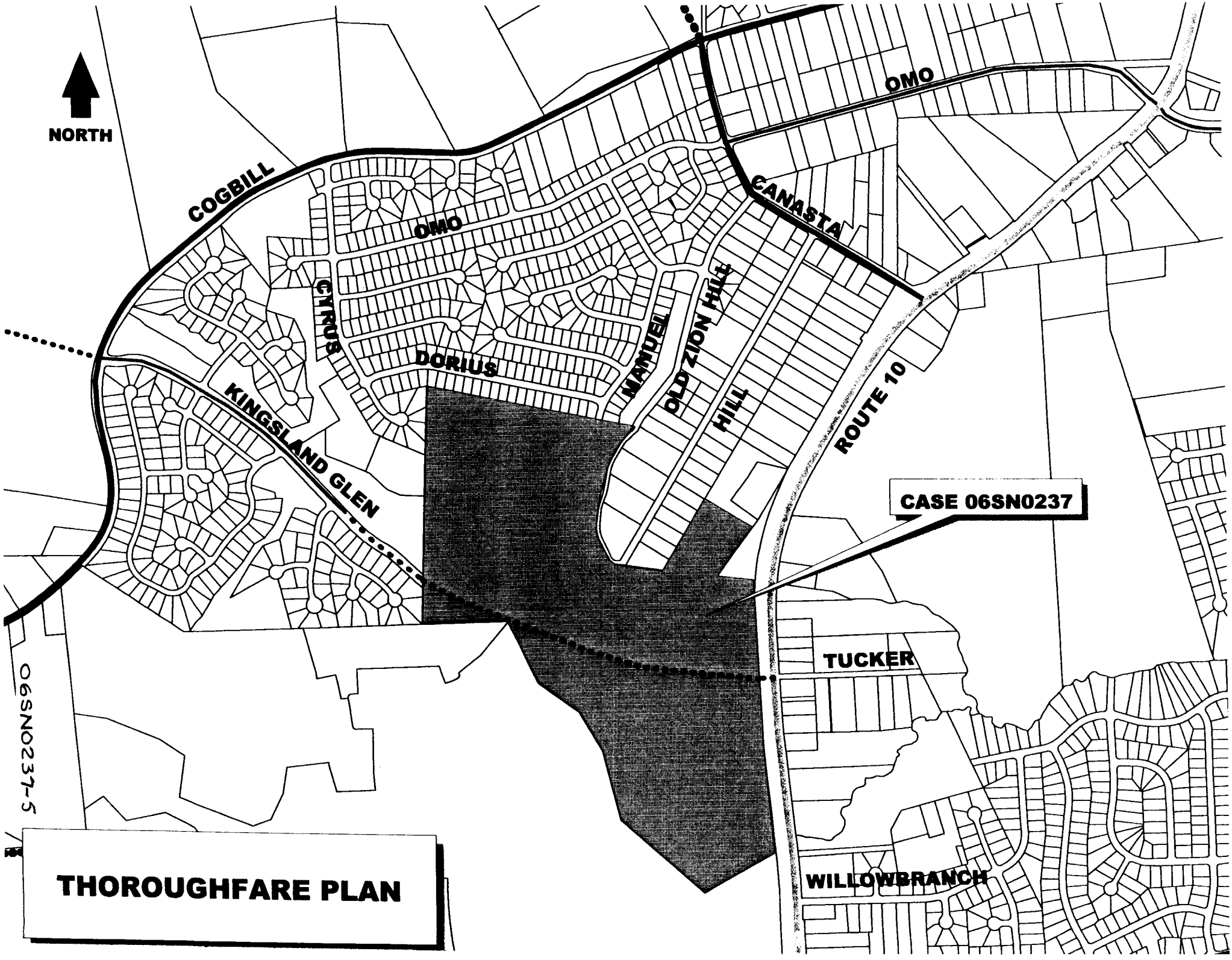
WHITEPINE
THOROUGHFARE PLAN

06SN0237-4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CASE 06SN0237
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THOROUGHFARE PLAN