August 19, 2003 CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

03SN0312

Victor P. Morrissette

Matoaca Magisterial District
South line of Beach Road

REQUEST: Rezoning from Residential (R-25) to Agricultural (A).

PROPOSED LAND USE:

Agricultural and residential uses are planned.

RECOMMENDATION

Recommend denial for the following reasons:

A. The proposed zoning and land use do not conform with the Southern and Western Area Plan which suggests the property is appropriate for residential use of 1 to 5 acre lots (suited for Residential (R-88) zoning).

B. The proposed zoning and land use do not conform to the Thoroughfare Plan since this type of development would not require the owner(s) to provide transportation improvements, as suggested by the Plan.

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

GENERAL INFORMATION

Location:

Fronts the south line of Beach Road and the east line of Buckhorn Road. Tax IDs 740-650-6868; 740-651-3549, 6254 and 8357; 741-651-0661; and 3165 (Sheet 24).

Existing Zoning:

R-25

Size:

67.3 acres

Existing Land Use:

Single family dwelling and vacant

Adjacent Zoning and Land Use:

North - A; Single family residential or vacant
South - A; Single family residential or vacant
East - A; Single family residential or vacant
West - R-25; Single family residential or vacant

UTILITIES

Public Water System:

There is an existing sixteen (16) inch water line extending along a portion of Beach Road that terminates adjacent to Carters Way Boulevard in Carters Mill Subdivision, approximately 8,750 feet west of this site. The request site is located within the area of anticipated R-88 zoning of the Southern and Western Area Plan. Use of the public water system is required by County Code under Section 18-63(b) for all structures located on property that is included in the Southern and Western Area Plan described in the Subdivision Ordinance that receives zoning approval after June 23, 1993. However, residences located on lots exempt from the requirements of the Subdivision Ordinance, such as proposed with this request, are not required to connect to the public water system unless, connection to the public water system is otherwise required by County Code Section 18-63(b)(5). Use of the public water system to serve this development is recommended by the Utilities Department.

Public Wastewater System:

The public wastewater system is not available to the request site. The Southern and Western Area Plan designates this area for anticipated R-88 zoning with lots of 1 - 5 acres in size. Use of a private septic system is permitted within this area.

Private Septic Systems:

The Health Department has reviewed the soils and septic/drainfield designs.

ENVIRONMENTAL

Drainage and Erosion:

The property drains southeast via tributaries to Swift Creek. There are currently no on- or off-site drainage or erosion problems, and none are anticipated with this rezoning request.

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. This request will not result in an increase in the number of permitted dwelling units. Accordingly, there is no net increase in the impact on capital facilities.

Fire Service:

The Winterpock Fire/Rescue Station, Company Number 19, currently provides fire protection and emergency medical service. This request will have minimal impact on fire and emergency medical service.

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 Chesterfield County Public Facilities Plan identified a need for additional library space throughout the County. Even if the facility improvements that have been made since the Plan was published are taken into account, there is still an unmet need for additional library space throughout the County.

Development of this property would most likely impact the Clover Hill Library, the Central Library or a proposed new branch in the western Beach Road area. The Plan identifies a need for additional library space in this area of the County. This request will have a minimal impact on these facilities.

Parks and Recreation:

The Public Facilities Plan identifies the need for four (4) new regional parks. In addition, there is currently a shortage of community park acreage in the County. The Public Facilities Plan identifies a need for 625 acres of regional park space and 116 acres of community park space by 2015. The Plan also identifies the need for neighborhood parks and special purpose parks and makes suggestions for their locations. This request will have a minimal impact on these facilities.

Transportation:

The applicant is requesting rezoning on 67.3 acres from Residential (R-25) to Agricultural (A). In 1989, most of the property was rezoned (Case 89SN0212) from A to R-25. As part of that rezoning approval, the Board of Supervisors imposed a buffer condition along Beach Road that limits access through the buffer to approved public road(s) and an existing driveway which serves a single family residence on the property.

The Thoroughfare Plan identifies Beach Road as a major arterial with a recommended right of way width of ninety (90) feet. The Plan also identifies a proposed north/south major arterial ("North/South Arterial") with a recommended right of way width of ninety (90) feet, extending from Qualla Road just north of Beach Road, south through the property to River Road. Direct access to major arterials, such as Beach Road and the North/South Arterial, should be controlled. The Subdivision Ordinance requires transportation improvements in accordance with the Thoroughfare Plan, as determined by the Transportation Department. Typically, some of the transportation improvements that would be necessary to address the traffic impact of developing the property would include right of way dedication along Beach Road and for the North/South Arterial, and construction of two (2) lanes of the North/South Arterial through the property with turn lanes along Beach Road based on Transportation Department standards.

This request would allow the owner(s) to "road strip" the property by creating lots that front and that have direct access to Beach Road. This type of development would not require the owner(s) to provide any transportation improvements, such as the North/South Arterial. The Transportation Department does not support rezoning that is not in accordance with the Thoroughfare Plan.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Southern and Western Area Plan which suggests the property is appropriate for residential use of 1 to 5 acre lots, suited for Residential (R-88) zoning.

A key feature of this Plan identifies the need to locate residential development where it can be most cost effectively served by public facilities, such as public water. This principle promotes orderly development which discourages "leap frog" development that often places unnecessary demands on public facilities.

Area Development Trends:

The surrounding properties are characterized by single family residential uses and vacant parcels zoned Agricultural (A) and Residential (R-25). It is anticipated that residential zoning and land use patterns will continue in the area.

Zoning History:

On May 24, 1989, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved the rezoning of the property from Agricultural (A) to Residential (R-25) subject to a condition establishing a buffer adjacent to Beach Road and acceptance of several proffered conditions negotiated by County Staff (Case 89SN0212). Conditions of approval of Case 89SN0212 include the buffer adjacent to Beach Road, minimum lot sizes, use of public water, conformity with regulations of a proposed Septic System Ordinance. It should be noted, if this rezoning request is approved, these previous conditions would not carry forth with this case. The 1989 case predates the current Southern and Western Area Plan which was adopted in 1993. At the time of the original zoning, however, the Plan was being drafted and, as a result, the zoning conditions reflected some of the philosophy of the Plan, which was ultimately adopted.

On August 22, 1990, the Board of Supervisors denied an amendment to proffered conditions of Case 89SN0212 relative to lot size and use of public utilities. Specifically, the requested amendments, if approved, would have increased the minimum lot size from 0.75 acre to one (1) acre and eliminated the conditions requiring the use of public water and compliance with the proposed Septic System Ordinance. As stated above, the zoning conditions reflected some philosophy of the Southern and Western Area Plan which was being drafted at the time and ultimately adopted in 1993.

Use Limitations:

Should the request be approved, uses permitted by the Zoning Ordinance in an Agricultural (A) District would be allowed on the request property as outlined in the Ordinance.

These uses include typical agricultural activities such as farming, keeping of livestock, etc. Residential uses would also be permitted.

In this particular instance, the original parcel has now been subdivided creating six (6) parcels on the subject property through the Subdivision Ordinance's Residential Parcel Subdivision process. Of these six (6) parcels, one (1) is a residential parcel modification, four (4) are new residential parcels and one (1) is an illegal division because it does not meet

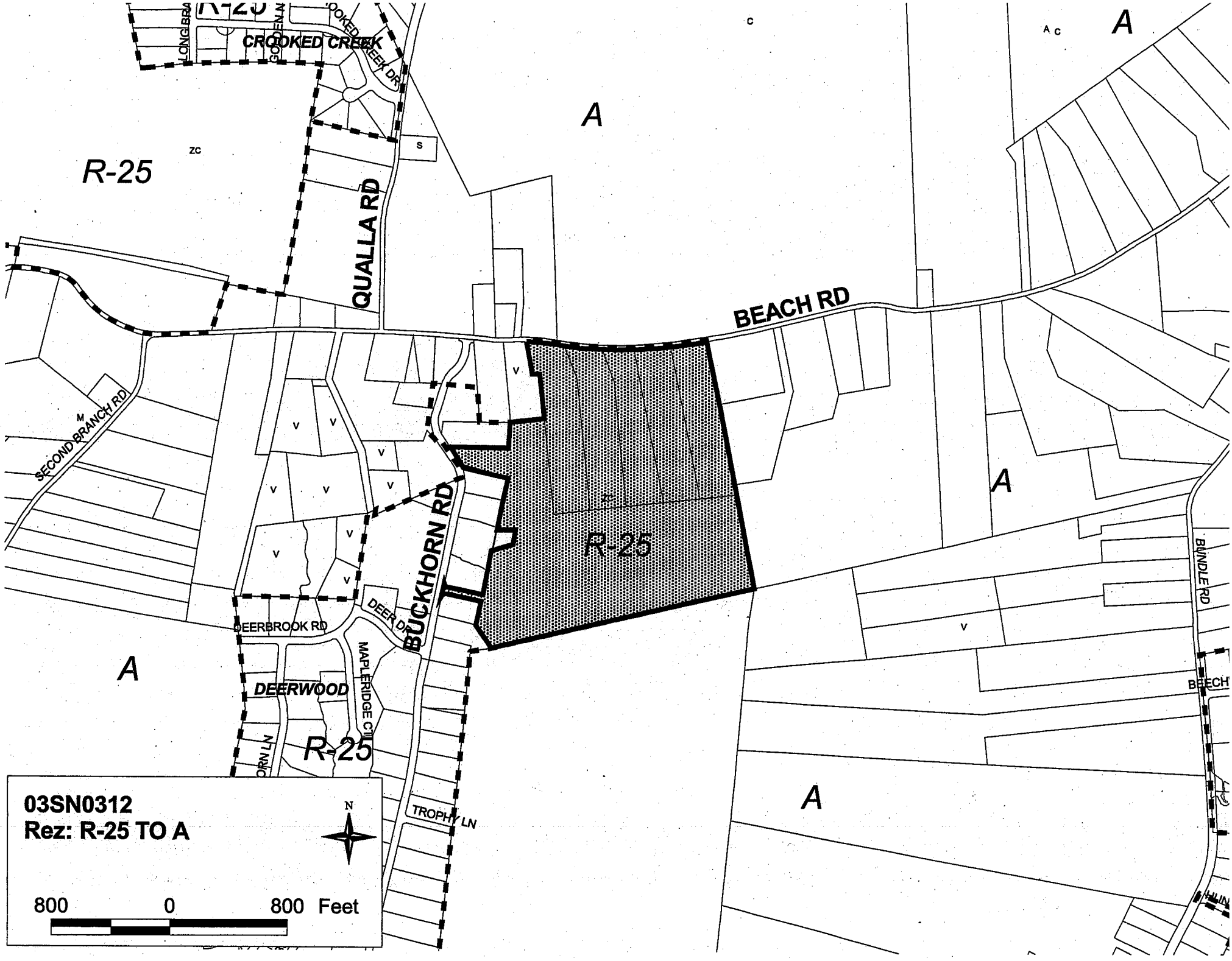
the minimum Ordinance requirements for lot area and road frontage and does not meet the exceptions as an immediate family division. It is important to note that dwellings cannot currently be constructed on these parcels unless public water is provided, as required by rezoning Case 89SN0212, as discussed above. Approval of this rezoning would eliminate the previous condition requiring the provision of public water to serve the request property and permit development of these road-stripped lots utilizing private wells. The use of private septic systems is currently permitted and would still be permitted should this case be approved.

CONCLUSIONS

The Southern and Western Area Plan suggests the property is appropriate for residential use of 1 to 5 acre lots, suited for Residential (R-88) zoning. The proposed zoning and land use do not conform to the use suggested by the Plan. Further, the Plan's principles which encourage residential development to be served by public facilities and discourages "leap frog" development where public facilities are not available would be compromised with approval of this request.

Further, this request would allow the owner(s) to "road strip" the property without providing any transportation improvements, such as the North/South Arterial. Therefore, this request is not in accordance with the Thoroughfare Plan.

Given these considerations, denial of this request is recommended.


03SN0312
Rez: R-25 TO A
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R-25
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CROOKED CREEK
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MAPLERIDGE CT
TROPHY LN
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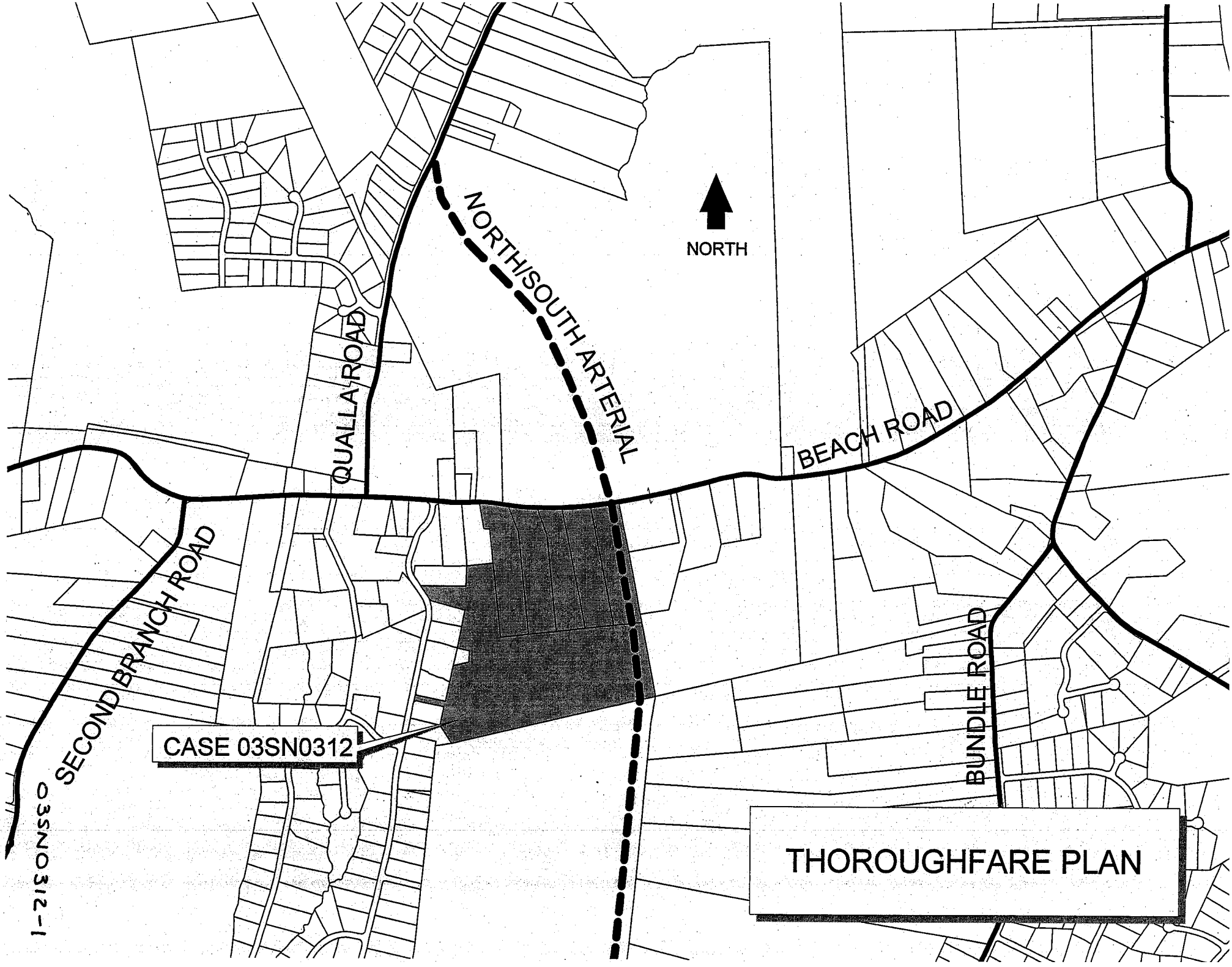
NORTH
NORTH/SOUTH ARTERIAL
QUALLA ROAD
BEACH ROAD
SECOND BRANCH ROAD
BUNDLE ROAD
CASE 03SN0312
THOROUGHFARE PLAN

03SN0312-1