

CASE NUMBER: 20SN0529
APPLICANT: Three Hoos, LLC

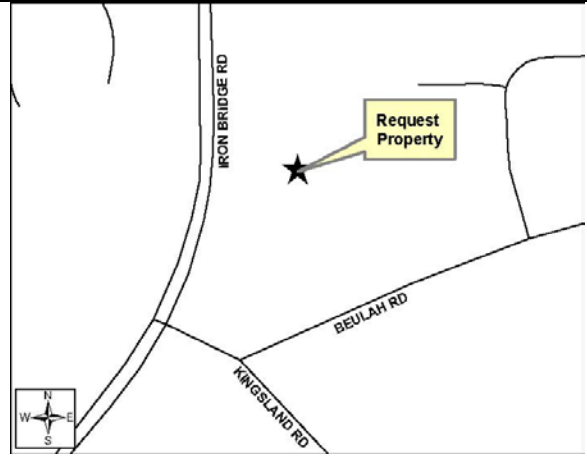


CHESTERFIELD COUNTY, VIRGINIA
DALE DISTRICT

**STAFF'S ANALYSIS
AND RECOMMENDATION**

Board of Supervisors (BOS) Hearing:
JULY 22, 2020
BOS Time Remaining:
365 DAYS

Applicant's Contacts:
KERRY HUTCHERSON (804-748-3600)
Planning Department Case Manager:
TYLER WALTER (804-318-8893)



1.5 Acres – 7337 Iron Bridge Rd.

REQUEST

Rezoning from Agricultural (A) to Community Business (C-3).

Notes:

- A. The only condition that may be imposed is a buffer condition. The applicant may proffer conditions.
- B. Proffered conditions and a staff reference map are located in Attachments 1 and 2.

SUMMARY

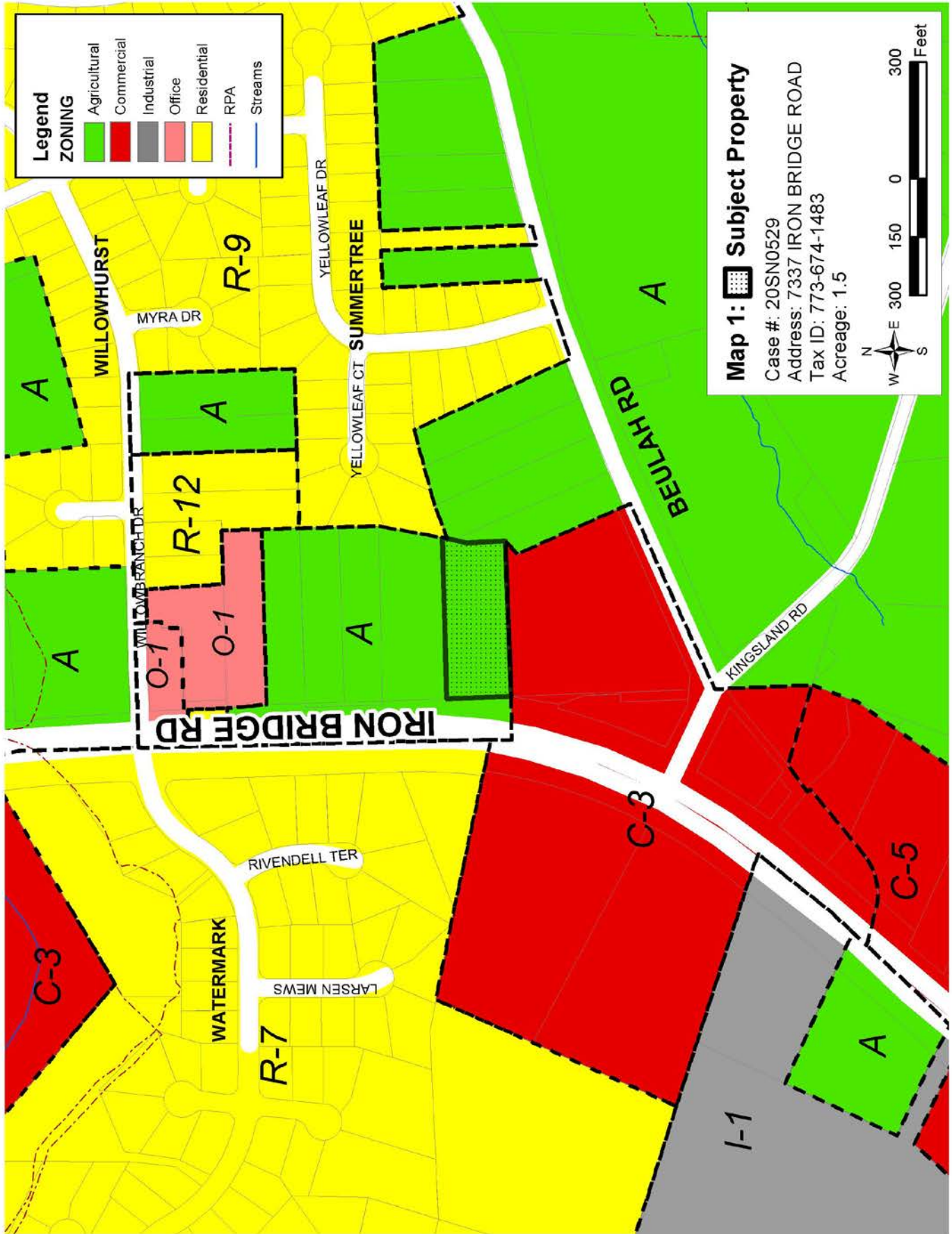
Commercial uses are planned. The applicant indicates development of the property in conjunction with adjacent C-3-zoned properties to the south (5740 Beulah Road). To mitigate impacts, the applicant has proffered conditions prohibiting auto-oriented uses.

RECOMMENDATION

PLANNING COMMISSION	APPROVAL
STAFF	PLANNING – APPROVAL Proffered conditions limit auto-oriented uses. As proposed this proposal should provide an adequate transition between commercial uses to the south and residential uses to the north. TRANSPORTATION – APPROVAL Proffered conditions address transportation concerns.

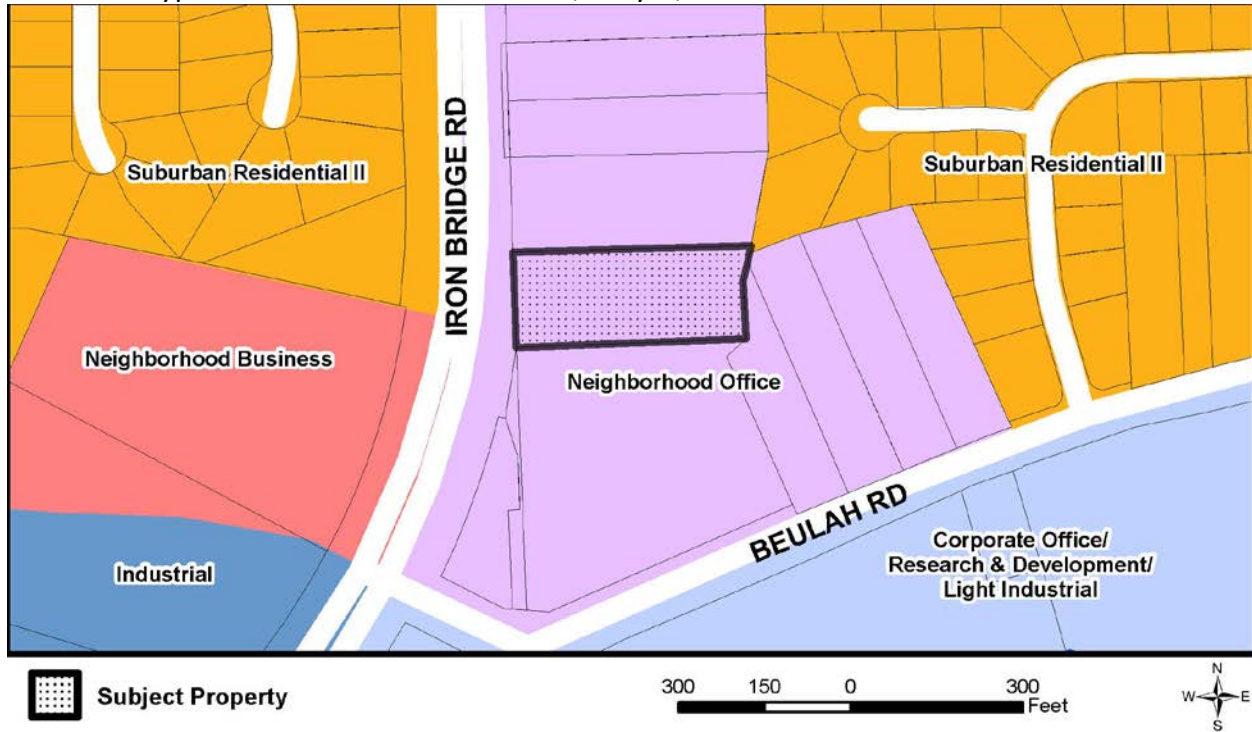
SUMMARY OF IDENTIFIED ISSUES

Department	Issue
PLANNING	The Comprehensive Plan suggests commercial nodes at strategic locations along the Route 10 Corridor. The Plan suggests transitional land uses along other portions of the corridor, such as office uses, with appropriate transition between existing and future residential development and higher intensity uses.



Comprehensive Plan
Classification: AIRPORT ZONES – NEIGHBORHOOD OFFICE

The designation suggests the property is appropriate for professional and administrative offices or similar uses. Typical uses could include doctor, lawyer, accountant and real estate offices.



Surrounding Land Uses and Development



PLANNING

Staff Contact: Tyler Walter (804-318-8893) waltert@chesterfield.gov

Zoning History

Case Number	Request
87SN0099 Approved (09/1987)	<ul style="list-style-type: none">• Conditional Use Planned Development to permit office use and bulk exceptions• Office use limited to existing structure for three years, expiring in 1990

Proposal

Rezoning to Community Business (C-3) is proposed. The applicant intends to aggregate the subject parcel with the parcel adjacent to the south (5740 Beulah Road) which was rezoned in 2011 (Case 11SN0150) from Agricultural (A) to Community Business (C-3) with no planned development.

Uses

The applicant's request would permit Community Business (C-3) uses, except those uses prohibited by Proffered Condition 7. Prohibited uses include:

- Recycling receiving centers;
- Outside storage;
- Taxidermy;
- Automobile uses: Automobile accessory store, rental, repair, sales, service stations (manned and unmanned), and automobile wash

These uses were removed to preclude more intense Community Business (C-3) uses and remove the scope of permitted auto-oriented uses on the request property. As proffered, the anticipated impact should be minimal

Development Standards

The request property is located within an Emerging Growth Design District. The purpose of Emerging Growth Design Districts is to promote high quality, well-designed projects. Except as regulated by zoning conditions, developments on this site must conform to the development standards of the Zoning Ordinance which address access, parking, landscaping, pedestrian connectivity, architectural treatment, setbacks, signs, buffers, utilities, and screening of dumpsters.

Proffered Condition 6 would require development on this site to conform to the architectural design and building materials for existing structures located on the following Tax ID's: 774-656-2994 and 774-656-3178 (11211 & 11221 Iron Bridge Road). Attachment 2 highlights the location of these properties, which are buildings developed for and occupied by the El Patron Restaurant and O'Reilly Auto Store.

Comprehensive Plan

The Plan suggests the property, as well as adjoining properties to the north, south, and east, as appropriate for Neighborhood Office (O-1) uses. Properties to the north and east are currently developed for office or single-family residential uses. The Plan designates these properties for Neighborhood Office and Suburban Residential II land uses.

The Plan uses the Neighborhood Office designation to provide transition between commercial community centers and residential uses. While, the applicant is requesting Community Business Use, the applicant prohibiting auto-oriented uses on the property should adequately provide a transition between the commercial properties to the south and the residential properties to the north. Staff is supportive of the request.

COUNTY TRANSPORTATION

Staff Contact: Steve Adams (804-748-1037) adamst@chesterfield.gov

The Comprehensive Plan, which includes the *Thoroughfare Plan*, identifies county-wide transportation needs that are expected to mitigate traffic impacts of future growth. The applicant is requesting to rezone 1.5 acres from Agricultural (A) to Community Business (C-3). This request will not limit development to a specific land use; therefore, it is difficult to anticipate traffic generation. Based on shopping center trip rates, the development could generate approximately 1,600 average daily trips (ADT). Traffic generated by development of the property would be distributed along Ironbridge Road (Route 10), which had a 2018 VDOT traffic count of 32,000 vehicles per day (Level of Service "C").

In 2011, the Board approved a zoning request (Case 11SN0150) to Community Business (C-3) for 4.3 acres located south of the subject property, which is also owned by the applicant. The applicant has indicated that he plans to develop the subject property with the previously zoned property.

Section 19.1-231 of the County Code outlines the general requirements to meet the needs of the traffic generated by a proposed development, including acceptable levels of service. The applicant has offered:

Dedication (Proffered Condition 2):

- 100 feet of right-of-way along the east side of Route 10 (per the *Thoroughfare Plan*).

Vehicular Access (Proffered Condition 3):

- Limited to one (1) entrance/exit to Route 10.
- Access easement to adjacent properties to the north and south for shared access.

Road Improvements (Proffered Condition 4):

- Third (3rd) thru lane along the northbound lanes of Route 10 along the property's frontage.
- Right turn lane at the approved Route 10 access.
- Shared use path along the property's frontage to Route 10 (per the *Bikeways & Trails Plan*).

Phasing Plan (Proffered Condition 5):

- Phasing plan to be provided prior to site plan approval for road improvements noted above.

Staff supports the request.

FIRE AND EMERGENCY MEDICAL SERVICES

Staff Contact: Anthony Batten (804-717-6167) battena@chesterfield.gov

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.

Nearby Fire and Emergency Medical Service (EMS) Facilities

Fire Station	The Airport Fire Station, Company Number 15
EMS Facility	The Airport Fire Station, Company Number 15

VIRGINIA DEPARTMENT OF TRANSPORTATION

Staff Contact: Willie Gordon (804-674-2907) willie.gordon@vdot.virginia.gov

The Applicant (Three Hoos, LLC) is proposing to rezone the property of 7337 Iron Bridge Rd from A to C-3 to allow commercial uses. All proposed commercial entrances will be subject to VDOT Access Management minimum spacing criteria and subject to minimum commercial entrance design standards. During the site plan review process, VDOT will require turn lane warrants for the proposed commercial entrances.

ENVIRONMENTAL ENGINEERING

Staff Contact: Rebecca Ward (804-748-1028) wardr@chesterfield.gov

Geography

The subject property drains to the east and southeast to an existing culvert under Beulah Road, then via tributaries to Kingsland Creek. The property is very flat and has the potential of containing a high percentage of wetlands. The entire property is located within the Kingsland Creek Watershed.

Environmental Features

A Resource Protection Area (RPA) Designation must be submitted to and confirmed by the Department of Environmental Engineering – Water Quality Section prior to the submittal of any site plans. In addition, wetlands shall not be impacted without prior approval from the U.S. Army Corps of Engineers and/or the Virginia Department of Environmental Quality.

Drainage

The subject property, along with additional area to the north, is in a large suppressed area that has no clear drainage outfall. The lowest point of relief is to the property to the south. At the time of site development, the developer will be required to provide an adequate outfall for the subject property, as well as the areas to the north that have no other natural outfall.

In addition, the pipe under Beulah Road appears to be inadequate, which will require on-site retention/detention to retain the runoff in that direction such that (1) the current culvert meets Virginia Department of Transportation (VDOT) criteria, (2) enlargement of the culvert to adequately handle the runoff to meet VDOT criteria, or (3) a combination of both. In any of these instances, offsite easements may be required.

Stormwater Management

The development of the subject property will be subject to the Part IIB technical criteria of the Virginia Stormwater Management Program Regulations for water quality and quantity. As previously mentioned, offsite easements may be necessary to discharge stormwater to an adequate conveyance system.

UTILITIES

Staff Contact: Randy Phelps (804-796-7126) phelpsrd@chesterfield.gov

Existing Water and Wastewater Systems

Utility Type	Currently Serviced	Size of Closest Existing Lines	Connection Required by County Code
Water	No	16"	Yes
Wastewater	No	8"	Yes

The subject property is located within the mandatory water and wastewater connection areas for new non-residential structures. The applicant has proffered use of County water and wastewater to support this development (Proffer 1).

A 16" County water line is available at the intersection of Iron Bridge Road and Beulah Road to serve this development.

An 8" County wastewater line is available east of the subject property at the end of Yellowleaf Court, within the Summertree subdivision, and there are recorded easements to facilitate a wastewater line extension

All extensions of the County water and wastewater systems will be subject to formal review and approval of the Utilities Department. The Utilities Department supports this case.

SCHOOLS

Staff Contact: Diane Faye Gapas (804-748-1028) wardr@chesterfield.gov

This request will not impact these facilities.

CASE HISTORY

Applicant Submittals

08/01/2019	Application submitted
09/23, 11/08/2019, 2/17, 04/01, and 05/19/2020	Proffered conditions submitted

Community Meeting

11/25/2019	Issues Discussed: <ul style="list-style-type: none"> • History of Three Hoos, LLC and past commercial development ventures • Anticipated land uses on the subject property • Stormwater management on the property.
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Planning Commission

01/21/2020	Action – DEFERRED TO MARCH 17, 2020 ON THE COMMISSION’S MOTION WITH THE APPLICANTS’ CONSENT.
03/17/2020	Action – MEETING CANCELLED DUE TO COVID-19, CASE RESCHEDULED TO THE APRIL 21, 2020 PLANNING COMMISSION MEETING.
04/21/2020	Action – DEFERRED TO MAY 19, 2020 ON THE COMMISSION’S MOTION WITH THE APPLICANTS’ CONSENT.
05/19/2020	Action – DEFERRED TO MAY 19, 2020 AT THE APPLICANT’S REQUEST WITH THE COMMISSION’S CONSENT.
06/16/2020	Citizen Comments: No citizens spoke to this request. Action – APPROVAL SUBJECT TO PROFFERED CONDITIONS IN ATTACHMENT 1. Motion: Sloan Second: Petroski AYES: Freye, Sloan, Hylton, Owens, Petroski
The Board of Supervisors on Wednesday, July 22, 2020, beginning at 6:00 p.m., will consider this request.	

PROFFERED CONDITIONS

May 19, 2020

Note: The following conditions are recommended by both the Planning Commission and Staff.

The Applicant in this case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for itself and its successors or assigns, proffer that the property under consideration in this case (“the Property”) will be used according to the following proffer(s) if, and only if, the request submitted herewith is granted with only those conditions agreed to by the Applicant. In the event this request is denied or approved with conditions not agreed to by the owners and Applicant, the proffer shall immediately be null and void and of no further force or effect.

1. Connection to County Water and Sewer. The applicant or developer shall connect the Property to County water and sewer at time of construction. (U)
2. Dedication. Prior to any site plan approval or within sixty (60) days of a written request by the Transportation Department, whichever occurs first, a one hundred (100) feet of right of way on the east side of Iron Bridge Road (Route 10), as measured from the centerline of that part of Route 10 immediately adjacent to the Property, shall be dedicated free and unrestricted to and for the benefit of Chesterfield County. (T)
3. Access.
 - a. Direct vehicular access from the property to Route 10 shall be limited to one (1) entrance/exit, if approved by the Virginia Department of Transportation (VDOT) (the “Approved Access”).
 - b. Prior to final site plan approval, access easements, acceptable to the Transportation Department, shall be recorded from the Route 10 access to serve the adjacent property to the north and south, or as otherwise determined by the Transportation Department at time of site plan review. (T)
4. Road Improvements. To provide an adequate roadway system the Developer shall be responsible for the following road improvements, which shall be completed as determined by the Transportation Department. The exact alignment, design, and length of these road improvements shall be approved by the Transportation Department.
 - a. Construction of an additional lane of pavement along the northbound lanes of Route 10 for the Property’s entire frontage along Route 10.
 - b. Construction of additional pavement along the northbound lanes of Route 10 at the Approved Access to provide a separate right turn lane;
 - c. Construction of a VDOT standard shared use path along the entire Property frontage along Route 10, unless otherwise modified by the Planning Department in furtherance of the County’s Bikeways and Trails Plan.
 - d. Dedication to Chesterfield County free and unrestricted of any additional right of way or easements required for the improvements identified above. (T)

5. Phasing Plan. Prior to any site plan approval, a phasing plan for the required road improvements, as identified in Proffered Condition 4, shall be submitted to and approved by the Transportation Department. (T)
6. Architectural Design and Materials. Any building constructed on the Property shall generally conform, with respect to both architectural design and building materials, to those buildings currently located on Chesterfield County Tax Map Parcels 774-656-2994 and 774-656-3178. (P)
7. Prohibited Uses. The following uses shall be prohibited on the Property:
 - a. Recycling receiving center, excluding recycling drop-off bins,
 - b. Taxidermy,
 - c. Storage, outside,
 - d. Automobile rental,
 - e. Automobile repair,
 - f. Automobile sales,
 - g. Automobile service station, whether self-service, manned, or unmanned,
 - h. Automobile accessory store, and
 - i. Automobile wash (P)

MAP OF IDENTIFIED PARCELS - ARCHITECTURAL DESIGN AND MATERIALS

Tax Map Parcels 774-656-2994 (El Patron Restaurant) & 774-656-3178 (O'Reilly Auto Store)

