~~September 16, 2003 CPC~~
~~October 21, 2003 CPC~~
November 25, 2003 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

03SN0318

Bermuda Triangle Property, L.P.

Bermuda Magisterial District
East line of Old Stage Road

REQUEST: Rezoning from Agricultural (A) to General Industrial (I-2) of 16.2 acres with Conditional Use Planned Development to permit exceptions to Ordinance requirements on the 16.2 acre parcel and on an adjacent 14.2 acre parcel currently zoned General Industrial (I-2). Specifically, a 150 foot exception to the requirement that uses and accessory uses be located at least 200 feet from agricultural property occupied by residential uses is requested.

PROPOSED LAND USE:

Industrial uses are planned.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL SUBJECT TO THE CONDITIONS AND ACCEPTANCE OF THE PROFFERED CONDITIONS ON PAGES 2 AND 3.

AYES: MESSRS. LITTON, CUNNINGHAM, GULLEY AND STACK.
ABSENT: MR. GECKER.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

A. The proposed zoning and land uses comply with the Consolidated Eastern Area Plan which suggests the property is appropriate for light industrial uses.

B. The proposed zoning and land uses are compatible with existing and anticipated area industrial development.

C. The requested setback exceptions are appropriate. Since the Plan suggests the adjacent properties are appropriate for light industrial use.

D. Development requirements of the Zoning Ordinance further ensure compatibility with existing and proposed area development.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER 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.)

CONDITIONS

(STAFF/CPC) 1. In conjunction with approval of this request, an exception shall be granted to allow uses and accessory uses on this property to be located a minimum of fifty (50) feet from Tax IDs 803-655-7579, 7963 and 8949 and 803-656-5830 until such time as those parcels are zoned for similar uses. (P)

(STAFF/CPC) 2. Development shall not occur on the portion of the property east of the power lines and adjacent to the James River unless a hard-lined conveyance system is constructed to the James River. (EE)

PROFFERED CONDITIONS

(STAFF/CPC) 1. The public water and wastewater systems shall be used. (U)

(STAFF/CPC) 2. Prior to any site plan approval, a sixty (60) foot wide right-of-way for a public road ("Battery Dantzler Road Extended") from the current terminus of Battery Dantzler Road to Old Stage Road shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. The exact location of this right-of-way shall be approved by the Transportation Department. (T)

(STAFF/CPC) 3. Direct access from the property to Old Stage Road shall be limited to Battery Dantzler Road Extended. (T)

(STAFF/CPC) 4. To provide for an adequate roadway system, the developer shall be responsible for the following road improvements:

a. Construction of two (2) lanes of Battery Dantzler Road Extended from its current terminus to Old Stage Road;

b. Construction of additional pavement along Old Stage Road at the Battery Dantzler Road Extended intersection to provide right and left turn lanes based on Transportation Department standards; and

c. Dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the above improvements. (T)

(STAFF/CPC) 5. 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. The approved phasing plan shall require construction of Battery Dantzler Road Extended from its current terminus to Old Stage Road, as identified in proffered condition 4.a, prior to the issuance of a certificate of occupancy. (T)

(STAFF/CPC) 6. Upon the request of the Chesterfield County Department of Parks and Recreation, the Owner shall dedicate a minimum 100-foot wide, perpetual open-space access easement along the James River frontage, to the County of Chesterfield, running generally parallel to the James River. (P&R)

GENERAL INFORMATION

Location:

East line of Old Stage Road and lying at the western terminus of Battery Dantzler Road. Tax IDs 803-655-7389, 803-656-9752 and 804-655-0597 and 2647 (Sheet 27).

Existing Zoning:

A and I-2

Size:

30.4 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - A; Vacant
South - I-2; Industrial
East - A and I-2; Industrial or vacant
West - A and C-5; Single family residential, commercial or vacant

UTILITIES

Public Water System:

There is a twelve (12) inch water line extending along Battery Dantzler Road and continuing across the request site to the eastern boundary of Old Stage Road. Use of the public water system has been proffered. (Proffered Condition 1)

Public Wastewater System:

There is an eight (8) inch wastewater collector line extending along Battery Dantzler Road and terminating adjacent to the eastern boundary of the request site. Use of the public wastewater system is required by County Code to serve Tax ID 804-655-2647. As stated on the application, the applicant intends to utilize the public wastewater system to serve the parcels included under this request. Use of the public wastewater system to serve the entire request site has been proffered. (Proffered Condition 1)

ENVIRONMENTAL

Drainage and Erosion:

The properties drain north-northeast directly into the James River. There are no existing or anticipated on- or off-site drainage problems. There are no known erosion problems on the site, although a portion of the property adjacent to the James River and primarily east of the power lines has very steep slopes with large ravines. The soils in this area are highly erodible and there is upstream off-site drainage that comes through this property. Development should not occur on the portion of the property east of the power lines and adjacent to the James River due to the high erodibility of the soils unless a hard-lined conveyance system is constructed all the way to the James River. (Condition 2)

PUBLIC FACILITIES

Fire Service:

The Dutch Gap Fire Station, Company Number 14, and Bensley Bermuda Volunteer Rescue Squad currently provide fire protection and emergency medical service (EMS). This request will have minimal impact on fire and EMS service. Fire hydrant locations and access requirements will be evaluated at the time of plans review.

Parks and Recreation:

The applicant has agreed to provide an open space easement to the County which would allow public access to the riverfront. (Proffered Condition 6)

Transportation:

The property (30.4 acres) is currently zoned Agricultural (A) on 16.2 acres and General Industrial (I-2) on 14.2 acres. The applicant is requesting rezoning to I-2 with a Conditional Use Planned Development. This request will not limit development to a specific density; therefore, it is difficult to anticipate traffic generation. Based on light industrial trip rates, development could generate approximately 2,200 average daily trips. These trips would be distributed, via Battery Dantzler Road to Old Stage Road and East Hundred Road (Route 10).

Old Stage Road had a 2003 traffic count of 5,700 vehicles per day. Based on the volume of traffic during peak hours, Old Stage Road is functioning at an acceptable level (Level of Service D). The 2003 traffic volumes along the section of Route 10 from Interstate 95 to Interstate 295 range from 40,000 to 45,000 vehicles per day. The volume of traffic on the four (4) lane section of Route 10 between Interstate 95 and Meadowville Road/Old Bermuda Hundred Road intersection exceeds the capacity of the road and drivers typically experience congestion especially during peak periods. This four (4) lane section of Route 10 is identified as a priority on the Board of Supervisors' list of highway needs. Construction plans have been approved for widening this section of Route 10. No funds are included in the Virginia Department of Transportation's Six-Year Improvement Program for right of way acquisition or construction of this project.

The property has access to Bermuda Triangle Road, which aligns a crossover on Route 10. The approved Route 10 widening plans include constructing a directional raised median in the crossover at Bermuda Triangle Road that will preclude vehicles traveling on Bermuda Triangle Road from turning left onto Route 10. As traffic volumes increase on Route 10, it will become more difficult for vehicles, especially tractor-trailers, to turn left from Bermuda Triangle Road onto Route 10. Staff recommends that the applicant construct an extension of Bermuda Triangle Road ("Battery Dantzler Road Extended") to Old Stage Road with the initial development of the property to improve safety and reduce the impact at the Bermuda Triangle Road/Route 10 intersection.

Development must adhere to the Development Standards Manual in the Zoning Ordinance relative to access and internal circulation (Division 5). The Thoroughfare Plan identifies Old Stage Road as a collector. Access to collectors, such as Old Stage Road, should be controlled. The applicant has proffered to limit direct access from the property to Battery Dantzler Road Extended. (Proffered Condition 3)

The traffic impact of this development must be addressed. The applicant has proffered to: 1) dedicate right of way and construct two (2) lanes of Battery Dantzler Road Extended from the current end of Battery Dantzler Road to Old Stage Road; and 2) construct right and left

turn lanes on Old Stage Road at the Battery Dantzler Road Extended intersection, based on Transportation Department standards (Proffered Conditions 2 and 4). It may be necessary for the applicant to acquire "off-site" right of way in order to construct these road improvements. The applicant has also proffered to submit a phasing plan for these road improvements and that the approved phasing plan will include the requirement to construct Battery Dantzler Extended in conjunction with initial development on the property. (Proffered Condition 5)

At time of site plan review, specific recommendations will be made regarding access and internal circulation.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Consolidated Eastern Area Plan which suggests the property is appropriate for light industrial use.

Area Development Trends:

Adjacent properties are zoned General Business (C-5), General Industrial (I-2) and Agricultural (A) and are occupied by single family residential, commercial and industrial uses or are vacant. The Plan anticipates area properties to continue to develop for industrial uses.

Development Standards:

Currently, the property lies within an Emerging Growth Area and within the Old Stage and Coxendale Roads Highway Corridor District Area. The Zoning Ordinance specifically addresses access, landscaping, setbacks, parking, signs, buffers, utilities and screening for developments within these areas. The purpose of the Emerging Growth District Standards is to promote high quality, well-designed projects. The purpose of the Old Stage and Coxendale Roads Highway Corridor District Standards is to provide standards that will encourage and enhance views along Old Stage Road, north of Route 10, and along Coxendale Road, east of I-95.

It should be noted, along with consideration of the Consolidated Eastern Area Plan, the Board of Supervisors adopted an Ordinance amendment to accomplish the above-stated purpose. The Ordinance amendment addresses yard requirements for office, business and industrial districts. In addition, the Ordinance amendment requires the preservation of trees and shrubs along Old Stage and Coxendale Roads to provide continuity and improve buffering. In addition to the Emerging Growth District standards, this property is affected by these requirements.

Setbacks:

Several of the adjacent parcels along Old Stage Road are zoned Agricultural (A) and, while they are anticipated to be developed for industrial uses in the future, they are occupied by single family residences or remain vacant. The Zoning Ordinance requires a minimum setback of 200 feet from the properties occupied by residences for any uses and accessory uses permitted on the request properties. The applicant has requested a Conditional Use Planned Development to allow a 150 foot reduction of this setback to a minimum of fifty (50) feet until such time as the adjacent property is zoned for similar uses.

Since the Plan suggests surrounding property should eventually be zoned and developed for industrial uses, and since there is no similar setback requirement where adjacent to vacant property zoned A and shown on the Plan as appropriate for industrial uses, it is appropriate to allow a reduction of the setback. (Condition 1)

CONCLUSIONS

The proposed zoning and land uses comply with the Consolidated Eastern Area Plan which suggests the property is appropriate for light industrial uses. In addition, the proposed zoning and land uses are compatible with existing and anticipated area industrial development. Development requirements of the Zoning Ordinance further ensure compatibility with existing and proposed area development.

Given these considerations, approval of this request is recommended.

CASE HISTORY

Planning Commission Meeting (9/16/03):

At the request of the applicant, the Commission deferred this case to their October 21, 2003, public hearing.

Staff (9/23/03):

The applicant was advised in writing that any significant new or revised information should be submitted no later than September 26, 2003, for consideration at the Commission's October 21, 2003, public hearing.

Also, the applicant was advised that a $230.00 deferral fee must be paid prior to the October public hearing.

Applicant (9/30/03):

The deferral fee was paid.

Applicant (10/3/03):

The proffered conditions were amended.

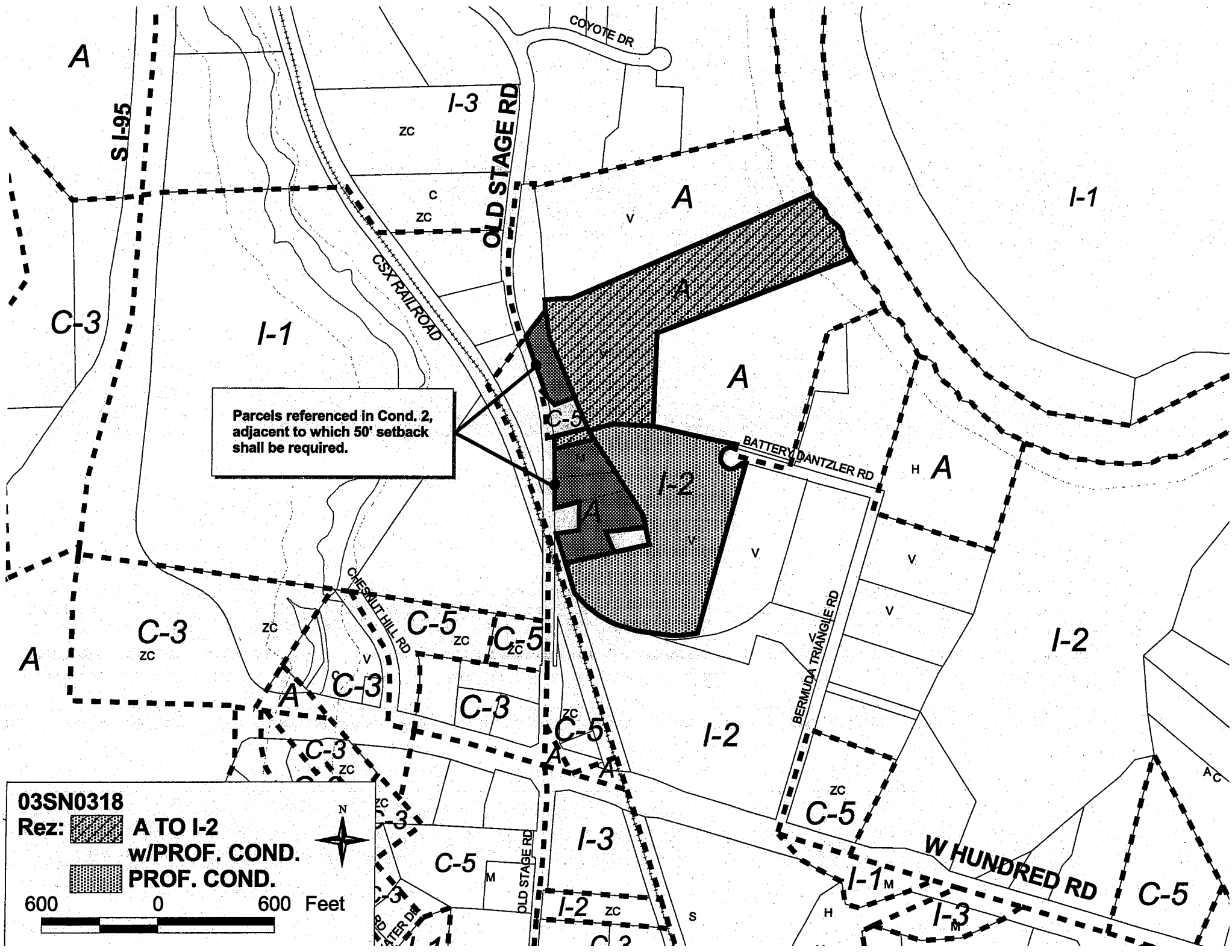
Planning Commission Meeting (10/21/03):

The applicant accepted staff's recommendation. A representative for an adjacent property owner expressed concern about tree preservation adjacent to his client's property, however, he spoke in support of the request. The applicant indicated he would provide a private agreement to the representative to address the citizen's concerns.

On motion of Mr. Cunningham, seconded by Mr. Stack, the Commission recommended approval of this request subject to the conditions and acceptance of the proffered conditions on pages 2 and 3.

AYES: Messrs. Litton, Cunningham, Gulley and Stack.
ABSENT: Mr. Gecker.

The Board of Supervisors, on Tuesday, November 25, 2003, beginning at 7:00 p.m., will take under consideration this request.


03SN0318
Rez: A TO I-2 w/PROF. COND.
PROF. COND.
600 0 600 Feet
N
Parcels referenced in Cond. 2, adjacent to which 50' setback shall be required.
S I-95
COYOTE DR
OLD STAGE RD
CSX RAILROAD
BATTERY DANTZLER RD
CHESNUT HILL RD
BERMUDA TRIANGLE RD
W HUNDRED RD
A
I-1
I-2
I-3
C-3
C-5