November 18, 2003 CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

04SN0113

Glenn M. Hill

Matoaca Magisterial District
Alberta Smith Elementary School, Bailey Bridge Middle School
and Manchester High School Attendance Zones
East line of Bailey Bridge Road

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

PROPOSED LAND USE:

A single family residential subdivision with a maximum of twenty-seven (27) lots is planned, yielding a density of approximately 1.4 dwelling units per acre.

RECOMMENDATION

Recommend denial for the following reason:

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

(NOTES:

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

B. IT SHOULD BE NOTED THAT THE REVISED PROFFERS WERE NOT SUBMITTED AT LEAST THIRTY (30) DAYS PRIOR TO THE COMMISSION'S PUBLIC HEARING PER THE "SUGGESTED PRACTICES AND PROCEDURES". THE "PROCEDURES" SUGGEST THAT THE CASE SHOULD BE DEFERRED IF REPRESENTATIVES

FROM THE AFFECTED NEIGHBORHOOD(S), STAFF AND THE COMMISSIONERS HAVE NOT HAD SUFFICIENT TIME TO EVALUATE THE AMENDMENTS. STAFF HAS HAD AN OPPORTUNITY TO THOROUGHLY REVIEW THE REVISED PROFFERS.)

PROFFERED CONDITIONS

1. Public water and wastewater systems shall be used. (U)

2. With the exception of timbering which has been approved by the Virginia State Department of Forestry for the purpose of removing dead diseased trees, there shall be no timbering on the Property until a Land Disturbance Permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)

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

   A. $9,000.00 per dwelling unit, if paid prior to July 1, 2003; or
   B. The amount approved by the Board of Supervisors not to exceed $9,000.00 per dwelling unit adjusted upward by any increase in the Marshall and Swift building cost index between July 1, 2002, and July 1, of the fiscal year in which the payment is made if paid after June 30, 2003.
   C. In the event the cash payment is not used for which proffered within 15 years of receipt, the cash shall be returned in full to the payor. (B&M)

4. No more than 27 residential lots shall be developed on the subject property. (P)

5. **Minimum House Size**:
   All dwelling units shall have a minimum gross floor area of 1,700 square feet except for dwelling units with more than one story which shall have a minimum gross floor area of 2,000 sq. feet. (P)

6. Minimum lot area shall be 15,000 square feet. (P)

7. Direct access from the property to Bailey Bridge Road shall be limited to one (1) Public Road. The exact location of that access shall be approved by the Transportation Department. (T)

8. **Right of Way Dedication**:
   In conjunction with the recordation of the initial subdivision plat or within sixty (60) days of a written request by the County, forty-five (45) feet of right-of-way on the east side of Bailey Bridge Road, measured from the centerline of the part of

Bailey Bridge Road immediately adjacent to the property; shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)

9. **Construction**:
The applicant, subdivider or assignee(s) shall: (1) dedicate the required right-of-way and construct additional pavement along Bailey Bridge Road at the approved access point to provide left and right turn lanes if warranted, based on Transportation Department standards. In the event the Developer is unable to acquire the right-of-way necessary for the road improvements as described, the Developer may request, in writing, the County to 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 only provide the road improvement that can be accommodated within available right-of-way as determined by the Transportation Department; and (2) Construct additional pavement and shoulder along the south side of Bailey Bridge Road to provide an eleven (11) foot wide travel lane, measured from the centerline of the road, with an additional one (1) foot wide paved shoulder plus a seven (7) foot wide unpaved shoulder, with any modifications approved by the Transportation Department for the entire property frontage. (T)

10. **Phasing Plan**:
Prior to any construction plan approval, a phasing plan for the required road improvements, as identified in Proffer 9, shall be submitted to and approved by the Transportation Department. (T)

GENERAL INFORMATION

Location:

East line of Bailey Bridge Road, south of Battlecreek Drive. Tax ID 735-670-7636 (Sheet 16).

Existing Zoning:

A

Size:

20 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - A; Single family residential or vacant
South - A; Single family residential
East - R-12; Vacant
West - A and R-15; Single family residential or vacant

UTILITIES

Public Water System:

There is an existing sixteen (16) inch water line extending along a portion of Bailey Bridge Road and terminates adjacent to Battlecreek Drive, approximately 500 feet northeast of this site. Use of the public water system is intended. (Proffered Condition 1)

Public Wastewater System:

There is an existing eighteen (18) inch wastewater trunk line that extends along a portion of Reedy Branch that terminates approximately 4,400 feet southeast of this site. Use of the public wastewater system is intended. (Proffered Condition 1)

ENVIRONMENTAL

Drainage and Erosion:

The property drains southeast, then via storm sewers and open channels through Bayhill Pointe and eventually to Swift Creek. There are currently no on- or off-site drainage or erosion problems with none anticipated after development. The property is heavily wooded and, as such, should not be timbered without first obtaining a land disturbance permit. (Proffered Condition 2)

The northwest portion of this property was previously used as a debris waste area. At the time of tentative subdivision plan review, the developer will be required to demonstrate the suitability of this fill area for road and dwelling construction. (Case 83S161, Condition 2)

Water Quality:

The property is extremely flat and exhibits wetland characteristics in the general area.

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 development will have an impact on these facilities.

Fire Service:

The Public Facilities Plan indicates that emergency services calls are expected to increase forty-five (45) percent by the year 2015. Eight (8) new fire/rescue stations are recommended for construction by 2015 in the Plan. Based on twenty-seven (27) dwelling units, this request will generate approximately four (4) calls for fire and emergency medical services each year. The applicant has addressed the impact on fire service. (Proffered Condition 3)

The Clover Hill Fire/Rescue Station, Company Number 7, 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 fourteen (14) students will be generated by this development.

Currently, this site lies in the Alberta Smith Elementary School attendance zone: capacity - 674, enrollment – 811; Bailey Bridge Middle School zone: capacity - 1,621, enrollment - 1,617; and Manchester High School zone: capacity - 1,962, enrollment - 2,399.

This request will have an impact on the elementary and high schools involved. It will also have an impact at the middle school level as Bailey Bridge is close to capacity. There are currently five (5) trailers at Alberta Smith Elementary; twenty (20) trailers at Bailey Bridge Middle; and seventeen (17) trailers at Manchester High. Two (2) new high schools, proposed to be built by 2006, would replace Clover Hill High School and relieve Manchester High. The applicant has agreed to participate in the cost of providing for area school needs. (Proffered Condition 3)

Libraries:

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

This development would most likely impact the Clover Hill Library or a proposed new library in the west Beach Road area. The applicant has offered measures to assist in addressing the impact of this development on these facilities. (Proffered Condition 3)

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 Plan identifies the 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. The applicant has offered measures to assist in addressing the impact of this proposed development on these Parks and Recreation facilities. (Proffered Condition 3)

Transportation:

The property (approximately twenty (20) acres) is currently zoned Agricultural (A), and is located just south of Bayhill Pointe Subdivision on Bailey Bridge Road. The applicant is requesting rezoning from Agricultural (A) to Residential (R-12). The applicant has proffered a maximum density of twenty-seven (27) residential lots (Proffered Condition 4). Based on single family trip rates, development could generate approximately 310 average daily trips. These vehicles will be distributed along Bailey Bridge Road, which had a 2003 traffic count of 6,800 vehicles per day.

The Thoroughfare Plan identifies Bailey Bridge Road as a major arterial with a recommended right of way width of ninety (90) feet. The applicant has proffered to dedicate forty-five (45) feet of right of way on Bailey Bridge Road, measured from the centerline, in accordance with that Plan. (Proffered Condition 8)

Access to major arterials, such as Bailey Bridge Road, should be controlled. The applicant has proffered to limit direct access to Bailey Bridge Road to one (1) public road. (Proffered Condition 7)

The traffic impact of this development must be addressed. The applicant has proffered to: 1) construct additional pavement along Bailey Bridge Road at the approved access to provide left and right turn lanes; and 2) reconstruct Bailey Bridge Road for the entire property frontage to provide an eleven (11) foot wide travel lane, a one (1) foot paved shoulder and a seven (7) foot unpaved shoulder. (Proffered Condition 9)

Constructing the turn lanes along Bailey Bridge Road may require the developer to acquire some "off-site" right of way. According to Proffered Condition 9, if the developer is unable to acquire the off-site right of way for the turn lanes along Bailey Bridge Road, 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.

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. Bailey Bridge Road will be directly impacted by development of this property. Sections of Bailey Bridge Road have eighteen (18) foot wide pavement with one (1) foot shoulders. Based on the current volume of traffic during peak hours, Bailey Bridge Road is at capacity (Level of Service E). The standard typical section for this type of roadway should be twenty-four (24) feet of pavement with eight (8) foot shoulders. The applicant has proffered to contribute cash, in an amount consistent with the Board of Supervisors' Policy, towards mitigating the traffic impact of this development. (Proffered Condition 3)

Included in the Virginia Department of Transportation's Six-Year Improvement Program is a project to improve a substandard vertical curve on Bailey Bridge Road adjacent to the property. This location was identified as a high accident location and Federal Hazard Elimination/Safety (HES) money has been designated to provide improvements. When constructing the proffered road improvements along Bailey Bridge Road, the developer may have to improve the cross-slope of the existing road in order to provide the proffered road improvements.

The Subdivision Ordinance requires that subdivision streets conform to the Planning Commission Stub Road Policy, which suggests that traffic volumes on those streets should not exceed an acceptable level of 1,500 vehicles per day. As previously stated, the property is located adjacent to Bayhill Pointe Subdivision. The internal road network developed on the property is anticipated to connect streets in Bayhill Pointe Subdivision, and serve future development on adjacent parcel(s) to the south. In accordance with the Stub Road Policy, it may be necessary to construct a "no lot-frontage" residential collector street from Bailey Bridge Road through the property. Recommendations about the necessity for the construction of a "no-lot frontage" residential collector street will be provided at time of tentative subdivision review.

At time of tentative subdivision review, specific recommendations will also be provided regarding stub road rights of way to adjacent properties and the proposed internal street network.

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	27*	1.00
Population Increase	73.44	2.72
Number of New Students		
Elementary	6.48	0.24
Middle	3.51	0.13
High	4.59	0.17
TOTAL	14.58	0.54
Net Cost for Schools	130,869	4,847
Net Cost for Parks	18,711	693
Net Cost for Libraries	10,125	375
Net Cost for Fire Stations	10,827	401
Average Net Cost for Roads	110,943	4,109
TOTAL NET COST	281,475	10,425

*Based on a proffered maximum number of lots (Proffered Condition 4). Actual number of lots and corresponding impact may vary.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries and fire stations at $10,425 per unit. The applicant has been advised that a maximum proffer of $9,000 per unit would defray the cost of the capital facilities necessitated by this proposed development. Consistent with the Board of Supervisors' Policy, and proffers accepted from other applicants, the applicant has offered cash to assist in defraying the cost of this proposed zoning on such capital facilities. (Proffered Condition 3)

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.

LAND USE

Comprehensive Plan:

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

Although such land use designations established in the Plan were based, in part, upon the anticipated availability of public utilities to serve properties, the maintenance of the integrity of important environmental and visual resources and the promotion of a range of densities and variety of living environments also played key roles in the support for lower density development in this area.

Area Development Trends:

Properties within the immediate vicinity of the subject parcel are zoned agriculturally or residentially and are characterized by single family residences on acreage parcels or vacant land. Properties further east and west are zoned Residential (R-12) and Residential (R-15, R-9 and R-12) and have been developed as Bayhill Pointe, Spring Trace and Deer Run Subdivisions. Such developments were zoned for residential development between 1985 and 1989, being prior to the adoption of the Southern and Western Area Plan in 1993. It is anticipated that any new area residential zoning and land use patterns will continue consistent with densities suggested by the Plan.

Zoning History:

On December 7, 1976, the Board of Zoning Appeals approved a Special Exception to operate a landfill limited to the dumping of stumps, land cleared and building materials on ten (10) acres for a period of three (3) years (Case 76A311). This permit was subsequently renewed in 1980 and 1983, expiring in 1986 (Cases 80S0105 and 83S161). As required by conditions of the Conditional Use, with the closure of this landfill, a plat depicting this fill area, fill material and conditions of this use permit was recorded for public record. This property represents a portion of the property incorporated into the limits of the current request.

Density and Lot Size:

Proffered conditions limit the number of lots within this proposed development to twenty-seven (27), yielding a density of 1.4 dwelling units per acre. (Proffered Condition 4)

Currently, the Zoning Ordinance requires a minimum lot size of 12,000 square feet in a Residential (R-12) District. Consistent with proffered conditions for the neighboring Bayhill Pointe Subdivision development, the applicant has proffered a minimum lot size of 15,000 square feet. (Proffered Condition 6)

Dwelling Size:

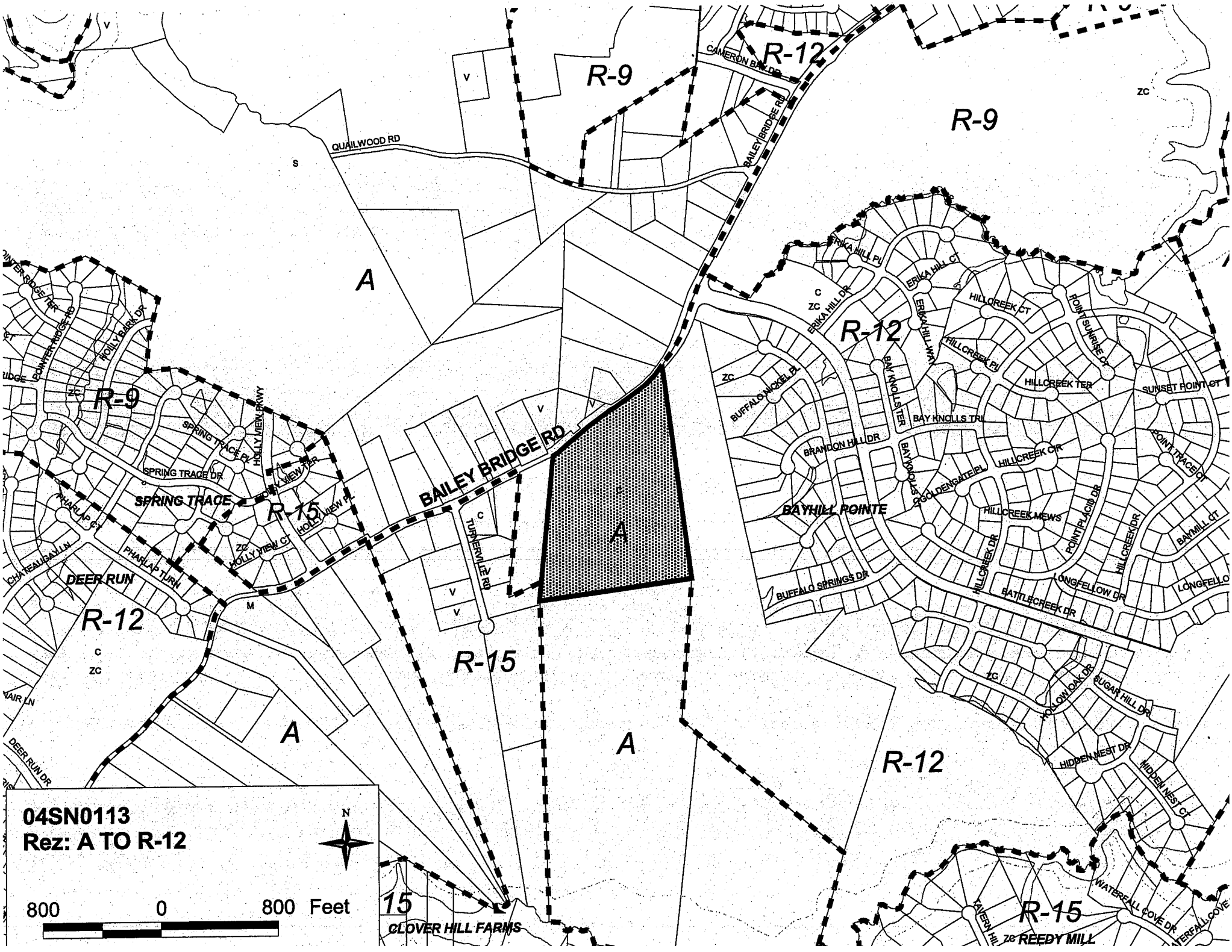
Proffered conditions require a minimum gross floor area for dwellings of 1,700 square feet, except that dwellings greater than one (1) story will have a minimum gross floor area of 2,000 square feet. (Proffered Condition 5)

CONCLUSIONS

The proposed zoning and land use do not conform to the Southern and Western Area Plan which suggests the property is appropriate for 1 to 5 acre lots (suitable to Residential (R-88) zoning). As proffered, this request would yield a density of approximately 1.4 units to the acre with a minimum lot size of 15,000 square feet.

Land use designations established in the Plan were based upon the anticipated availability of public utilities to serve properties as well as maintaining the integrity of important environmental and visual resources while promoting a range of densities and variety of living environments.

Given these considerations, denial of this request is recommended.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