

MEMORANDUM

To: Planning Commission

From: Kali Casper, AICP, Assistant Planning Director

Date: January 27, 2023

Subject: **UPDATE** RZN 22-0003/ORD #2003- Request for an amendment to previous rezoning Ordinance #746 to modify a Planned Commercial PC zoning district including permitted uses at 1055 Plantation Road (Tax Map. 254-A-18) by Broadstreet Partners, LLC (applicant) for Blacksburgs Green BLD LLC (owner).

REVISIONS TO DEVELOPMENT PROPOSAL

The applicant submitted a revised application package for the rezoning and associated CUP request with materials dated January 20, January 25, and January 26. These materials are referred to as the January 25th submittal. Changes to the conditional use permit request also impact the rezoning amendment and are included below. Changes have been proposed regarding the following topics and are discussed in this memo as well as the related CUP memo:

- Open Space
- Building Design
- Landscaping
- Parking
- Mini-Warehouse Use & Design Standards
- Pedestrian Improvements
- Cross-Access
- Public Utility Easements
- Retaining Walls
- Signage
- Sanitary Sewer
- Business Operations
- Proffers
- Uses

Analysis of the revisions is provided in order of topics from the staff report dated November 10, 2022.

Planned Commercial District Standards

Open Space

The applicant is proposing to use 1987 regulations, which did not have a minimum open space requirement. Open space was not specifically identified or required in the Zoning Ordinance at that time. While no open space is required, the applicant is providing 12% open space for the mini-warehouse use on Lot 1 and 21% open space for Lot 2. The current Zoning Ordinance requires a minimum of 25% for Planned Commercial zoning districts. As open space was unspecified in 1987, staff would prefer the plan meet the current minimum standard. The applicant has revised the open space areas to meet the Use and Design Standards. The open space is now in contiguous areas and does not include setback areas, fragmented areas, or areas along retaining walls. *Staff suggested greater attention be given to landscaping areas as well as buffer yards, which have been revised and are discussed later in the memo.*

Signage

For PC districts, signage plans must be submitted at the time of rezoning including general size, location, style, color, and materials for all signs proposed. The applicant has provided signage information as requested in the

revised submittal. The applicant is proposing to meet General Commercial (GC) zoning district standards, with the exception for 1 small freestanding monument sign, which is detailed in the application.

For the mini-warehouse use, the applicant is proposing 3 attached signs and 1 small freestanding monument sign. The proposed attached wall signage for the mini-warehouse uses generally meets the GC zoning district standards as shown. The small freestanding monument sign on Lot 1 is not in keeping with the GC standards as there is not enough lot frontage on Plantation Road to qualify for a monument sign. This sign is noted separately in the application and is being requested as part of the overall signage plan. The characteristics of the lot frontage are unusual as Lot 1 is located at the end of Plantation Road and the site entrance is further back along Crisp Road extension.

The applicant is also proposing a freestanding monument identification sign for the overall development to be placed on Lot 2. This identification sign would be located at the corner of Prices Fork Road and Plantation Road and would include panels for the mini-warehouse use as well as future uses of Lot 2. As proposed, any future signage for Lot 2 not shown in the application would be required to meet GC signage regulations. All signage will be reviewed with respect to this plan and the commitment to GC zoning standards at the time of development. In particular, the applicant will verify at the time of site plan that signage meets the requirements for sight distance and setback from the right-of-way.

Signage should be considered based on the appropriateness of the proposed signage plan in relation to the character of the proposed development and the surrounding area. The BP station and the Holiday Inn Express both have freestanding monument signs as well as wall signage. Overall, the proposed signage is in keeping with nearby commercial signage.

SPECIFIC CHANGES TO ORDINANCE #746 AND RELATED PROFFERS

Fast Food or Drive-In Restaurant Use

The applicant proposes to remove the restriction that prohibits fast food and drive-in restaurants. As proposed, fast food and drive-in restaurants as well as external speakers would be allowed with the granting of a conditional use permit.

Buffer Yard

The January 25th submittal includes a new 50' Type C vegetative buffer to the northern property line with Norway Spruce trees and Boxwood evergreen shrubs. The applicant has also identified areas of existing canopy that are to remain on the Landscape Plan. The January 25th submittal includes details of retaining wall height and materials as well as plant spacing and height at time of planting. Both the original rezoning and the current zoning ordinance recognize the importance of a buffer yard to mitigate impacts adjacent to residential zoning at a minimum. The revised submittal addresses staff comments from the November 10th staff report and January 13th staff memo.

Green Space/Landscaping

In addition to revised buffer yards, street trees and canopy coverage are shown on the revised Landscape Plan. Street trees are shown at 1 tree per 30 feet of street frontage for Plantation Road, and Prices Fork Road. Calculations have been provided to demonstrate 10% canopy coverage. The Landscape Plan meets Town standards for street trees and canopy coverage; the remainder of landscaping requirements can be confirmed at the site plan stage.

Sidewalks

The January 25th submittal includes the addition of sidewalk with buffer along Plantation Road, the addition of sidewalk to the south side of the Crisp Road connection to connect to the Retreat trail and a crosswalk to the mini-warehouse entrance. A 10' wide trail has been added along the Prices Fork Road frontage behind the existing sidewalk to meet Town requirements. The revised submittal addresses staff comments from the November 10th staff report and January 13th staff memo.

Amendment to Allowable Uses and Nature of Planned Commercial Districts

The January 25th submittal narrows the proposed list of uses (labeled Exhibit A) and proposes that any future uses for Lot 2 will require a public hearing through the conditional use permit process. The applicant has removed several uses that may be less appropriate in this location including residential and civic uses, which are typically less compatible with adjacent commercial uses. The listed uses in Exhibit A vary significantly in characteristics and impacts of each use. The applicant has indicated that in proffering a conditional use permit process for any future use of Lot 2, these characteristic and impacts can be considered through a public hearing process. Several of the commercial uses are considered high trip generators and have different circulation needs. This is further discussed below in the Transportation section. This approach addresses the Planning Commission concerns from work session but Planning Commission should review the revised use list with respect to the proposed District and the surrounding area.

IMPACTS TO PUBLIC INFRASTRUCTURE, SERVICES, AND SURROUNDING NEIGHBORHOOD

Bicycle and Pedestrian Improvements

Several changes have been made to proposed bicycle and pedestrian infrastructure. Pedestrian improvements were discussed in the Sidewalks Section previously. With respect to bicycle infrastructure, the applicant has requested a variance to Section 5-321, which requires bicycle lanes for collector and arterial streets. The applicant provided a justification letter in the revised submittal. The letter notes the proposed sidewalk and trail that is included within the application as well as the physical infrastructure challenges to extend the lane to the intersection. Based on staff review, the extension of the bicycle lane would require relocation of the sidewalk, curb and gutter, and ADA curb ramp for 100 feet, at most. The proposed application does include work in the vicinity to install new trail as well as connect existing sidewalk along Prices Fork Road to new sidewalk along Plantation Road. As previously noted, the Prices Fork Road Safety and Mobility Study recommends widening to allow for a bicycle lane in addition to proposed trail in this location. *As previously noted, staff recommends the applicant reconfigure the intersection of Prices Fork Road and Plantation Road in order to extend the existing bicycle lane to the intersection.*

Public Utility Easements, Cross Access, and Lot 2 Transportation

The January 25th submittal includes a 15' public utility easement, free of retaining walls, along the interior parcel line between Lots 1 and 2.

The January 25th submittal includes a proposed cross access easement area depicted on the Site Layout plan. The area includes approximately 100-120 feet running along the entirety of the interior property line between Lot 1 and Lot 2. The applicant has included language in the proffer statement to ensure dedication of the cross access easement occurs and notes that consideration of constructing the cross access will occur during the conditional use permit process for Lot 2. *Staff notes that the proposed easement should address cross access as well as allowing for temporary construction to build any connection.*

The revised submittal has removed the proposed entrance to Lot 2 on Plantation Road. To address concerns regarding high trip generation uses, the entrance location for Lot 2 will be evaluated at the time of CUP and any proposed entrance will be required to meet VDOT Access Management regulations. A Traffic Impact Analysis will be required for the CUP process for Lot 2. *The Engineering Transportation and Easement Memo provides additional detail regarding these topics.* These changes address staff’s previous comments. It is important to note, however, that based on the proposed lot configuration for Lots 1 and 2, some higher trip generating uses may not be approvable in a future CUP request based on the type and location of access. While cross access may address this, it does not guarantee future approvals.

Sanitary Sewer

The January 25th submittal includes a sewer variance request for the project to allow for a private, pumped system, private force main line, and private manhole to the gravity flow to public sanitary sewer located in Prices Fork Road. This will also require a lateral that crosses intervening properties (Lot 2). *Staff supports this request as the most practical manner to provide public sanitary sewer to Lot 1.* Additional detail is provided in the attached Sanitary Sewer Memo.

PROFFER STATEMENT – January 20, 2023

1. The property shall be developed in substantial conformance, as determined by the Zoning Administrator, with the submitted rezoning application entitled Mini-Storage Development located at 1055 Plantation Road (“the Application”) dated January 20, 2023.
2. The proposed uses for the future ~1.15 acre commercial development area shall be modified based upon the included modified list of allowable uses (Exhibit A). All uses shall require a Conditional Use Permit (CUP) for said future commercial parcel.
3. The applicant shall dedicate a cross-access easement along the proposed Crisp Road extension encompassing the entire proposed lot line between Lot 1 and Lot 2. Cross-access between these two parcels shall be evaluated at the time of development for Lot 2 as part of the required Conditional Use Permit (CUP) to develop the lot. If it is determined that the cross-access connection is both needed and warranted based on the desired use and traffic/access impacts, it shall be constructed with the development of Lot 2.

The revised proffer statement addresses previous concerns regarding clarity for proposed uses for Lot 2. The Town Attorney is working with the applicant to ensure the proffers are clear and enforceable. Any revisions to the proffer statement will be provided to Planning Commission prior to the public hearing. Application dates and references to these dates will need to be reviewed to ensure consistency.

Variations Needed as Proposed

Subdivision Ordinance Section 5-701(a)
Sewer Specifications Section 1.21(c)
Town Code Section 18-204

Attachments

- Staff Transportation & Easement Memo
- Staff Sanitary Sewer Memo
- Application Revisions dated January 20, January 25, and January 26, 2023

MEMORANDUM

TO: Kali Casper, Assistant Planning Director

FROM: Randy Formica, Director, Engineering and GIS Department

DATE: January 26, 2023

SUBJECT: RZN22-0003 - Prices Fork Mini-Storage – Transportation & Easement Comments

Overview

The rezoning proposes subdivision of the existing parcel to create two lots identified as Lot 1 and Lot 2. Lot 1 would facilitate the construction of the proposed mini-storage facility on a 3.4-acre parcel, which would be accessed from the end of Plantation Road, and would provide cross access to the adjacent Retreat development along Crisp Road. Lot 2 would encompass the remaining 1.17 acres, which fronts Prices Fork Road, and is identified as a 'Future Commercial Development Area'. Access for the future development on Lot 2 has been removed from the latest application.

Public Utility Easements

The latest application shows the required 15 foot wide public utility easement centered along the interior lot line between Lots 1 and 2 and shows that the proposed retaining wall is no longer located within the public utility easement. Therefore, the comments from the previous application have been addressed.

Cross Access

The revised application shows a cross access easement over Lots 1 and 2. The application does not define the exact location of this access. The location and nature of this access will be defined through the conditional use permit process for Lot 2 as the applicant has proffered any future use of Lot 2 will require a conditional use permit.

Lot 2 Entrance Layout

The latest application no longer proposes an entrance to Lot 2 on Plantation Road. The application does not define an entrance for Lot 2 at this time. This will result in the owner of Lot 2 defining the location of an entrance at the time of the CUP process. Any proposed entrance will be required to meet the VDOT Access Management regulations in effect at the time of development.

Future Development of Lot 2

The Traffic Impact Analysis performed as part of the proposed mini-storage facility did not include and trip generation for the Future Development of Lot 2. The TIA focuses exclusively on the impacts for the development of Lot 1 and re-distribution of trips resulting from the cross access with the Retreat development. Further analysis and potential improvements will be required when development of Lot 2 is considered through the CUP process. This would include the following:

- A Traffic Impact Analysis, including level of service and turn lane warrant analysis, would be required for any subsequent Conditional Use Permit request.

MEMORANDUM

TO: Kali Casper, Assistant Planning Director

FROM: Randy Formica, Director-Engineering and GIS

DATE: January 26, 2023

SUBJECT: RZN 22-0003 and CUP 22-0006-Mini-Warehouses-1055 Plantation Road-Sanitary Sewer Memo

A review of the re-submittal of the Master Plan indicates the applicant proposes connecting to existing sanitary sewer mains located in Prices Fork Road.

The applicant is proposing installing a private, pumped system and private force main that connects to a new private manhole located on proposed Lot 2. Sewer will then flow by gravity from this manhole to the public sanitary sewer located in Prices Fork Road.

While the Town Code and Sanitary Sewer Specifications require that sewer be provided by gravity flow, upon additional discussion and review with the applicant, the options for providing gravity sanitary sewer for this parcel are not practical. The previous sanitary sewer memo provides information relating to this specific discussion.

A variance request to Section 5-701 (a) of the Subdivision Ordinance and Section 1.21 (c) of Sanitary Sewer Specifications requiring that gravity sanitary sewer be provided to each lot was submitted in their latest application. Staff supports this variance request.

In addition, Section 18-204 of the Town Code requires that laterals not cross intervening properties. To meet this standard, the lot configuration could be altered but in this instance, a flag lot would be created, which may not meet the requirements of Section 5, Division 2 of the Subdivision Ordinance. In the case of this application, the most practical manner to provide public sanitary sewer to Lot 1 is by allowing its sewer lateral to cross Lot 2 to connect to public sanitary sewer in Prices Fork Road. The applicant is proposing the dedication of a private lateral easement across Lot 2 for the benefit of Lot 1 with this application. Staff is in support of allowing Lot 1's sanitary sewer lateral to cross Lot 2 in a private easement. This variance can be approved as a part of the Rezoning and Conditional Use Permit approval.

The site plan is required to meet all other requirements of the Sanitary Sewer Specifications.