

SPECIFIC LAND USE APPLICATION QUESTIONS

LU#3-14, 18-19, 36, 39, and 43 Bush Springs Road applications

Question 1: Would it be feasible to take the entire area out of the Primary Service Area?

Answer 1: Yes, from a strict process perspective it would be possible for the Steering Committee to recommend this if desired. To follow past procedure, staff would need to send letters to the affected property owners notifying them of the change, as well as notifying all adjacent property owners via letter, posting a sign in the field, advertising the change in the newspaper, and posting information on the Internet. Work would also need to be done to determine the location of the new PSA line, in the event the Steering Committee supported this course of action. It should be noted that many of the residents along Bush Springs Road did not take part in requesting a redesignation of their land (i.e. removal from the PSA), and these residents may be opposed to such an action. If the Steering Committee is interested, staff can provide a recommendation on the appropriateness on the 20th.

LU-0037-2008 7605 Croaker Road

Question 1: What is the approximate amount of developable land?

Answer 1: Staff has not conducted field surveys or studies. Based on the location of resource protection area (RPA) features and other site constraints, staff's rough estimate is that approximately 3.6 acres have development constraints (out of 7.9 acres total), for a total of 4.3 acres of developable land.

Staff #8: Treyburn Drive adjacent to High Street

Question 1: What is the approximate amount of developable land?

Answer 1: Staff has not conducted field surveys or studies. Based on the location of estimated RPA features, staff's rough estimate is that approximately 6.7 acres have development constraints (out of 13.7 acres total), for a total of 7 acres of developable land.

LU-0016-2008 6925 Richmond Road/Staff #11 Lightfoot Mixed Use Expansion

Question 1: What is the extent of the berm behind this property that has been put in place by Colonial Heritage?

Answer 1: Based on a re-visit to the site, the berm does extend from one end of the property to the other, with variations in height along the way. The area directly behind the berm on the Colonial Heritage property appears to be hole #10, as depicted on the master plan. There is, however, no berm between the Ware property and a residential section of Colonial Heritage to the northwest, which wraps around this property.

LU-17, 26, 27 – 2008 4744 Old News Road and 3905 & 3897 Ironbound Road

Question 1: What is the width of the property between Monticello Avenue and Ironbound Road?

Answer 1: The property width between Ironbound and Monticello is approximately 220'. Both are Community Character Corridors (CCC). Recommended buffers for CCCs are 50' for commercial developments and 150' for residential developments.

Question 2: Would a Neighborhood Commercial designation be appropriate?

Answer 2: As a transition between the Community Commercial designation of Powhatan Secondary and the Low Density Residential designation of surrounding neighborhoods, the Neighborhood Commercial designation would have benefits and negatives. If the property were rezoned to Limited Business (LB), a Neighborhood Commercial or Low Density Residential designation would activate special provisions in the Zoning Ordinance for additional screening and/or architectural features. Buildings greater than 2,750 square feet would require a special use permit (SUP) and need to show conformance with the

Neighborhood Commercial Development Standards Policy. While offices and day care centers are among the permitted uses, so are banks, retail stores, and automotive parts sales. There could also be pressure to allow specially permitted uses with more intensity within LB such as convenience stores, or rezone the property to a more intense district, such as General Business (B-1). Because access is limited along Monticello Avenue and the connector road next to adjacent shopping center is private, there could still be commercial access and traffic along Ironbound Road. Finally, the reduced CCC could permit greater visibility along Monticello Avenue, as is often desired by businesses.

Question 3: Would a Mixed Use designation be appropriate?

Answer 3: A mixed use designation could have benefits and negatives as well. From the point of view of providing a transition between the commercial and residential areas, the mixed use (MU) designation could be a positive as proposed development would have to be master planned, giving the Board flexibility on the layout and architecture of the site. However, there are significant amounts of MU designated land near the parcel and the size of the subject parcels totals only 2.8 acres. The Zoning Ordinance permits MU zoning districts less than 5 acres if the development is to provide mixed use structures(s) and is designated MU on the Comp Plan. A mixed use structure (integrated residential and commercial in the same building) or truly mixed development may be difficult given the size constraints and the abundance of other mixed use land in the area. Furthermore, MU has a wide variety of by-right uses which would need to be carefully controlled during the rezoning process, in order to tailor the uses to the site.

Staff continues to support maintaining the Moderate Density Residential designation.

LU-0021-2008: Hill Pleasant Farm

Question 1: What are the land use designations in York County, and can these be shown, along with the entire Croaker interchange, on a map?

Answer 1: Staff has now posted a pdf image to the website showing these items along with the other LU-0021-2008 maps. In addition, a map that shows the estimated extent of the RPA on site has also been posted. Finally, a map of the properties currently in the Hill Pleasant Farm Agricultural and Forestal District (AFD) is also posted.

As shown on the RPA map, a RPA feature runs along the jurisdiction line between James City County and York County, which is also the line between the Hill Pleasant Farm property and the Economic Opportunity land in York County. In addition to this RPA feature, four other RPA fingers extend down into this area, one of which extends all the way to the railroad tracks. Building a road through this area would require negotiating these five RPA features, the last of which (the one closest to the Croaker interchange) could pose locational constraints to the alignment of a Mooretown extended as it approaches either Rochambeau or Croaker.

With regard to the AFD map, staff would note that the term of this district does not expire until November of 2010. The terms of the district include the following: (1) The subdivision of land is limited to 25 acres or more (with a provision for family subdivisions and siting of telecommunication towers); (2) No land outside the PSA and within the AFD may be rezoned and no application for such rezoning may be filed earlier than six months prior to the expiration of the district; (3) No special use permit shall be used except for agricultural or forestal activities. In addition, the Board has adopted a policy for withdrawals from AFDs outside the Primary Service Area. In this policy, one of the criteria includes that the withdrawal would not "cause damage or disruption to the existing district". Assuming the property

remains in the district until the November of 2010 expiration, it appears to staff that the land could not be converted to a use, other than twenty-five acre lots, in the meantime.

Question 2: The staff report states that this area was not planned for by JCSA in developing water needs projections. What impacts or issues would JCSA see in including this area in water needs projections?

Answer 2: Staff is in the process of discussing this issue with JCSA and will forward any information as soon as it is available.

LU-0024-2008: 4052 Cokes Lane

Question 1: Would it be possible for the Steering Committee to recommend redesignating the intervening parcel to Mixed Use at the same time as a recommendation is made on this parcel?

Answer 2: Yes, the Committee could recommend this parcel also be included in the Mixed Use area. To follow past procedure, staff would need to send letters to the affected property owners notifying them of the change, as well as notifying all adjacent property owners via letter, posting a sign in the field, advertising the change in the newspaper, and posting information on the internet. Should the Committee wish to pursue this, staff does not have an objection to including this parcel for the same reasons outlined in the staff report for the owner initiated parcel covered by this application.

Staff #10 Hazelwood Holdings

Question 1: What is the acreage that would be removed from the PSA, and what is the acreage that would be newly included in the PSA? What is the acreage proposed to go from Mixed Use to Rural Lands, and what is the acreage proposed to go from Rural Lands to Mixed Use?

Answer 1: Staff does not have the benefit of a legal survey of this property, and all of the following figures are estimates based on our GIS system, and do not necessarily reflect acreages recorded on deeds or used for tax purposes. The acreage to be removed from the PSA is 88.3, and the acreage to be included is 44. The acreage proposed to go from Mixed Use to Rural Lands is 88.3, and the acreage proposed to go from Rural Lands to Mixed Use is 44. Based on the GIS system, the overall acreage involved is 290 acres, with 85 of that current Rural Lands and 205 of that currently Mixed Use.

Question 2: Would it be appropriate to include the parcel between Hazelwood Holdings and Upper County Park (tax parcel 112010002) in the PSA?

Answer 2: In contrast to the two closest Hazelwood Holdings properties which are zoned B-1, this parcel is zoned A-1. Also, this parcel is separated from the adjacent Hazelwood Holdings property by an RPA feature. For these reasons, staff would not recommend including this parcel in the PSA, as it does not appear that this line arrangement would be more logical than the one currently proposed.

Question 3: What RPA features or other development constraints exist on these properties?

Answer 3: Staff has now posted a pdf image showing the estimated RPA to the website along with the other Staff# 10 Hazelwood Holdings maps. In addition, Environmental Division staff have provided the following additional input:

Regarding 9400 Barnes Road (parcel fronting on Barnes Road), which is proposed to be redesignated from Mixed Use and Rural Lands to Rural Lands: This parcel is entirely wooded, and is roughly triangular, with two long sides both having steep ravines, streams, and resource protection areas (RPA) associated with them. There are approximately 80 buildable acres from the Chesapeake Bay Ordinance perspective. The only viable access is from Barnes Road. There is a "sliver" of buildable land between the two ravines which would lend itself to a linear type of development. Slopes on the buildable

acreage are mostly in the five to fifteen percent range. Should the property use at some point change away from forest/forestry operations, the characteristics of the site would lend itself to large lot, low density type residential development, with smaller quantity-control type BMPs (which are smaller, and more easily and less intrusively worked into the landscape). Because of the slopes a properly designed low density subdivision or cluster can leave the majority of the trees on site, while any type of intensive development would result in wholesale clear cutting.

Regarding the two parcels with the address 275 Old Stage Road, which is proposed to be redesignated from Mixed Use and Rural Lands to Mixed Use: Approximately two-thirds of this area is wooded, and one-third is active farm field. There is a border of evergreens adjacent to the fields, approximately 50 to 150 feet deep, then deciduous-type forest beyond. These two properties are approximately rectangular in nature, with ravines, streams and resource protection area along the western and southern borders. The western border is common to 9400 Barnes Road (discussed above), and the characteristics of this border (steep slopes, streams, wetlands, RPA) make this a logical border to separate uses between the three properties. The farm field areas have nearly level slopes, which lend themselves to more opportunities for development. The wooded areas have more slope associated with them but are generally flatter than 9400 Barnes Road. Stormwater management in this potentially more developed area would require quantity and quality control, with more typically sized BMPs. These would fit better with this topography as there are more options for placement. Approximately one-third of these parcels are already cleared, so tree clearing can be minimized compared with 9400 Barnes Road.

Question 4: Can the intersection of Old Stage Road and Route 30 be signalized?

Answer 4: Staff has received the following response from VDOT: While the location is not desirable based on the distance from the interchange, it is not expressly prohibited. If a signal were deemed warranted at this location based on traffic or safety, it could be installed. However, development and access points should be managed in such a way as to not accelerate the need for a signal at this location.

OTHER QUESTIONS

Question: It has been asked of staff what the total amount of land added to the PSA would be if all PSA consideration applications were approved, and what the change in the amount of Rural Lands would be if all Rural Lands consideration applications were approved.

Answer: There are 1,030 acres requesting to be included in the PSA. If Hazelwood Holdings were approved, and the Bush Springs removal-from-PSA requests were approved, the PSA reduction would be approximately 140 acres, for a net gain of 890 acres added to the PSA. With regard to the Rural Lands designation, the requests submitted would change 1,074 acres from Rural Lands to another designation (if Hazelwood Holdings were approved, there would be an increase in 88 acres of Rural Lands designation), for a net loss of 986 acres as Rural Lands. However, staff would strongly suggest any lands put outside the PSA have an appropriate Rural Lands designation; therefore, the current Bush Springs road PSA-removal applications would add 52 acres, for a net loss of 934 acres as Rural Lands.

In addition, staff is working to put together information, in conjunction with the work on the Economic Development section, on the amounts of commercial zoned land in various districts which is current developed and undeveloped, and will also provide that information to the Committee as soon as possible.