

Hanover County, Virginia

Land Use Map

Legend

-  Agricultural
-  Rural Village
-  Sub. Transitional 1-2 DU Ac
-  Sub. General 1-4 DU Ac
-  Sub. High 4-8 DU Ac
-  Multi Family 8-15 DU Ac
-  Commercial
-  Multi Use
-  Business-Industrial
-  Industrial
-  Limited Industrial
-  Planned Business
-  Destination Commerce
-  Mechanicsville SAP
-  Flood Plain
-  LDR

C-35-80(c), Am. 1-13

West Engineering Company, Inc.

proffer amendment

Commercial and Suburban General
Land Use

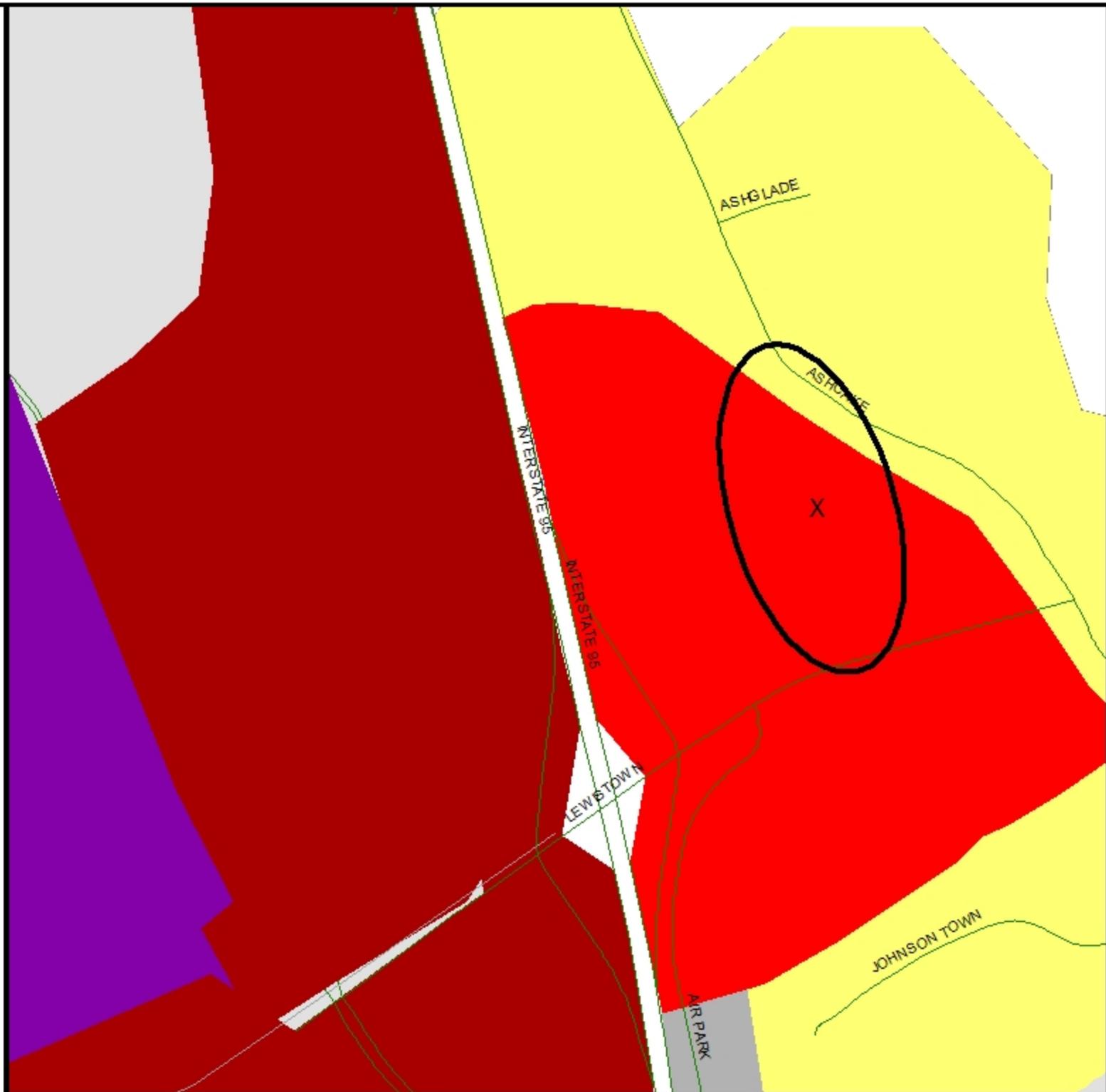
GPIN: 7788-79-7366

Ashland Magisterial District



1 inch = 600 feet

December 03, 2013



**Hanover County,
Virginia**

General Parcel Map

Legend

- Roads
- Water
- - - Trees
- - - Private Road
- Structures
- Parcels

C-35-80(c), Am. 1-13

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proffer amendment

Zoned M-2

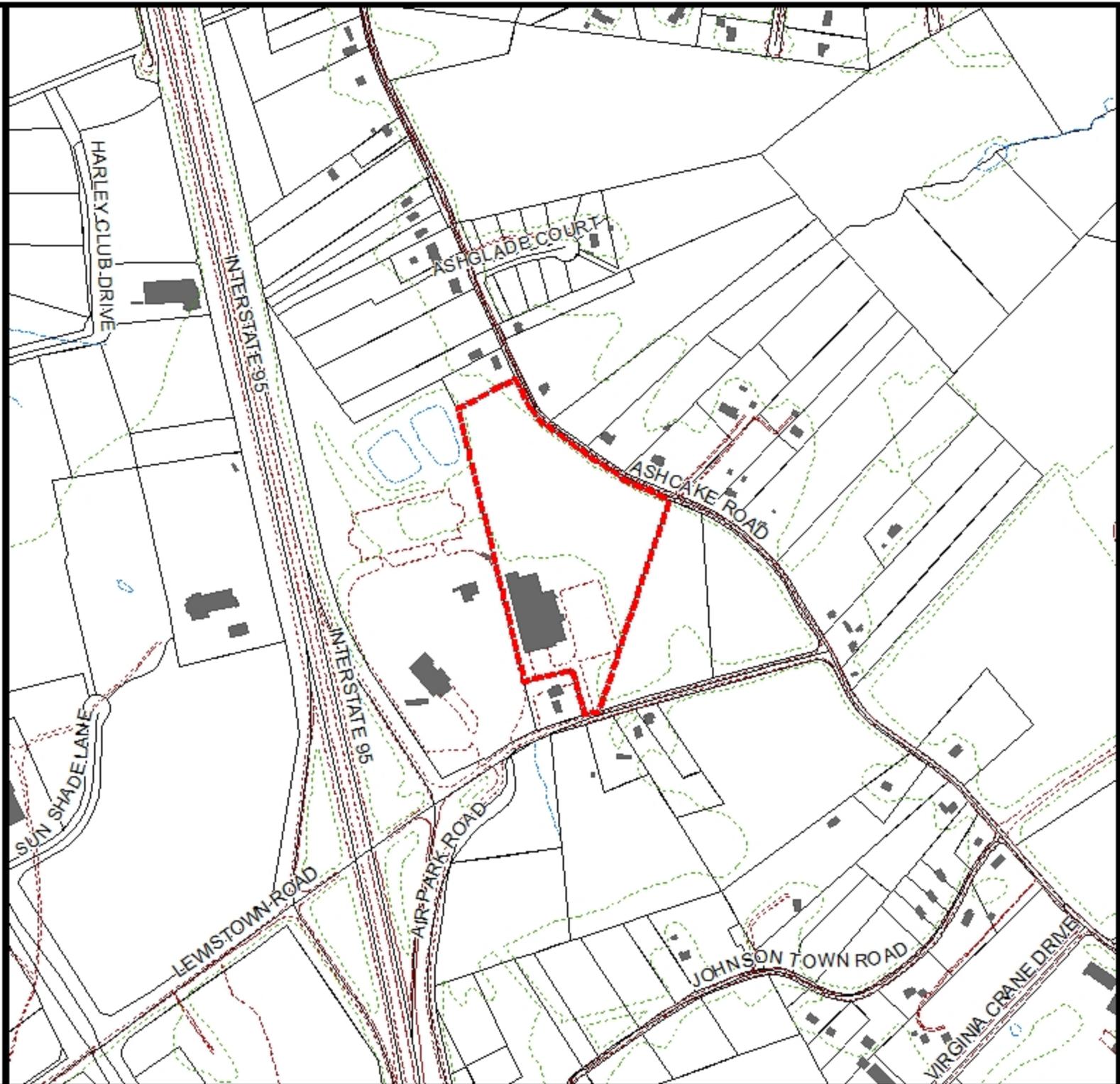
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Hanover County, Virginia

Zoning Map

Legend

— Roads	 R-4
- - - - Water	 R-5
- - - - Private Road	 R-6
▭ Parcels	 RM
 CUP	 MX
 A-1	 B-1
 AR-1	 B-2
 AR-2	 B-3
 AR-6	 O-S
 RC	 B-0
 RS	 M-1
 R-1	 M-2
 R-2	 M-3
 R-3	

C-35-80(c), Am. 1-13

West Engineering Company, Inc.

proffer amendment

Zoned M-2

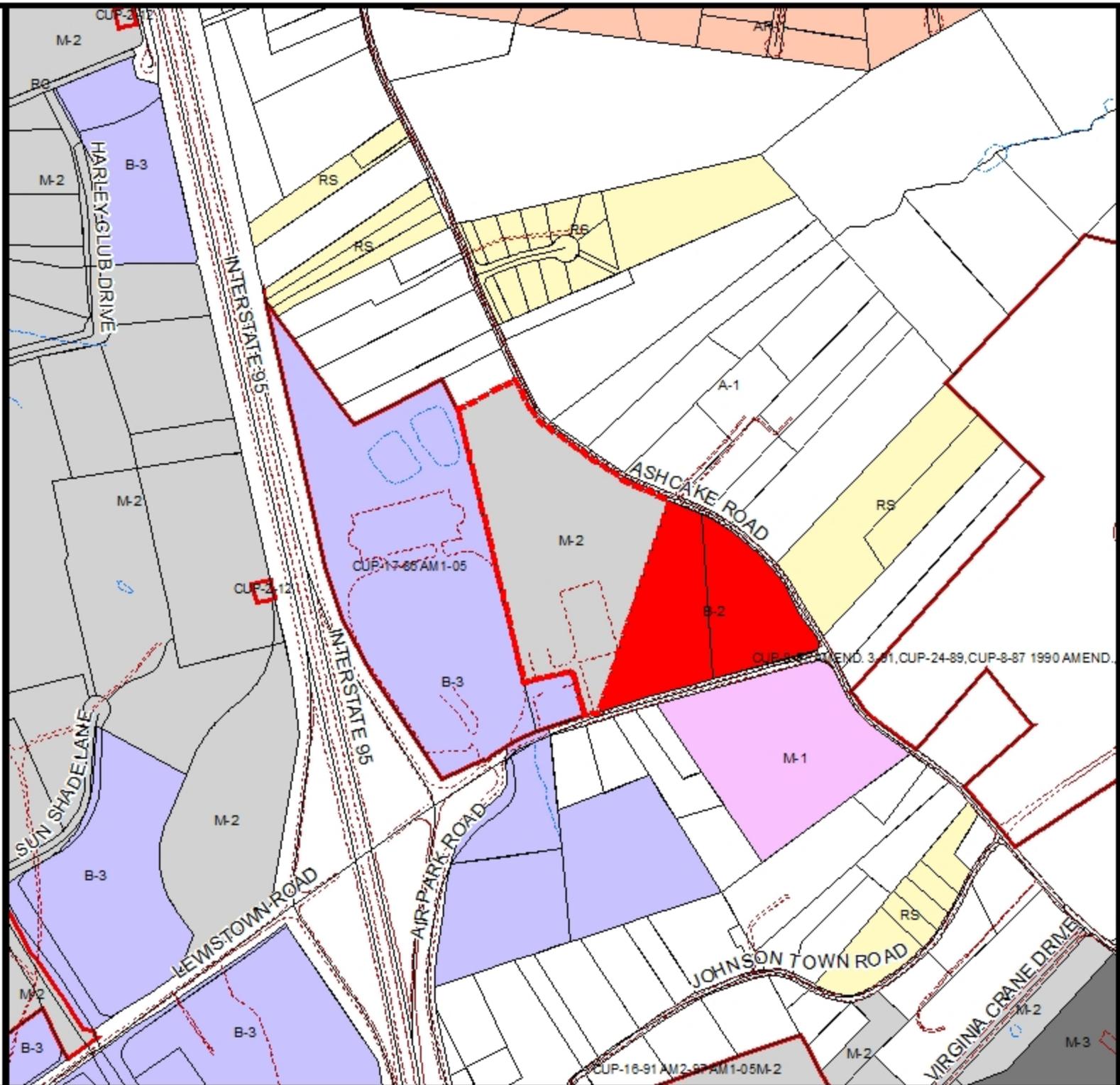
GPIN: 7788-79-7366

Ashland Magisterial District



1 inch = 600 feet

December 03, 2013





C-35-80(c), AM. 1-13, WEST ENGINEERING CO., INC.

Industrial Rezoning Amendment Report

Ashland Magisterial District

PC Meeting Date: February 20, 2014



Overview

Amendment Request	Amend the proffers to allow truck access on Ashcake Road
Current Zoning	M-2(c), Light Industrial District with conditions
Acreage	16.79 acres
Location	On the west line of Ashcake Road (State Route 657) approximately 1000 feet north of its intersection with Lewistown Road (State Route 802)
GPIN	7788-79-7366
General Land Use Plan	Commercial and Suburban General (1-4 units per acre)
Major Thoroughfare Plan	Lewistown Road – Minor Arterial (100' right-of-way) Ashcake Road – Minor Collector (60' right-of-way)
Suburban Service Area	Inside
Conservation Area	Outside
Case Planner	Gretchen W. Biernot

Executive Summary

The subject property was rezoned to M-2(c), Light Industrial District with conditions on December 17, 1980. The original proffers limited truck traffic to Lewistown Road. With the construction of a median along Lewistown Road that is part of a pending VDOT road project, left turns into the subject property will be eliminated for all eastbound traffic. Consequently, the applicant has submitted this application to amend the proffers to allow truck access through a new entrance on Ashcake Road. Staff would note that the applicant is not agreeing to proffer right-of-way dedication on Lewistown Road.

Staff Recommendation

DENIAL as submitted but **APPROVAL** subject to changes to the submitted proffers, dated January 30, 2014, conceptual plan, dated January 17, 2014.

Planning Analysis

This proffer amendment will allow truck access to a proposed entrance to the subject property on Ashcake Road. The applicant is requesting this zoning amendment as a result of the planned VDOI improvements on Lewistown Road, which will limit traffic to the existing Lewistown Road entrance to right-in/right-out only. The conceptual plan shows the proposed access road from Ashcake Road and demonstrates that the proposed entrance meets site distance requirements. In addition, the applicant has submitted a left-turn lane warrant analysis for the proposed entrance location, which determined that a left-turn lane is not warranted. At VDOT's request, the applicant has also verified that the Ashcake Road/Lewistown Road intersection is adequate for turning movements made by large trucks. The access has been designed to limit the impact on the residential properties by being located across the street from a property line instead of directly in front of a house.

When the Brown Grove Neighborhood Plan was developed and adopted in 1998, elements of the plan addressed mitigating non-residential impacts to the existing residential properties. The General Land Use Plan map of the Comprehensive Plan shows a narrow strip of Suburban General (residential land use) along the Ashcake Road portion of this property. To limit the impacts of industrial development on the residential community, the applicant has agreed to maintain the buffers that were established with the original rezoning. These proffered buffers reflect the objectives of the Brown Grove Plan. A 15-foot natural buffer runs along the side property line to the north, and a 50-foot natural buffer is shown along Ashcake Road. The first 15 feet of this buffer contains the required thoroughfare buffer. The applicant has indicated that this area may have to be supplemented with shrubs to meet ordinance requirements.

Revised proffers were submitted on January 30, 2014, which included the following:

1. Conceptual plan – The applicant agreed to develop the property in substantial conformity with the entrances and buffers, as shown on the conceptual plan.
2. Dedication of Right-of-way – The applicant has proffered right-of-way dedication, free of cost to the County, for Ashcake Road only. VDOT is in the process of negotiating procurement of the additional right-of-way it needs on Lewistown Road for the road project, and the applicant would like to continue in those negotiations. As noted in the policy analysis below, staff continues to recommend right-of-way be dedicated on Lewistown, free of cost to the County, in accordance with County policy.
3. Use Restrictions – The applicant proffered out M-2 uses that may be considered inappropriate uses of this prime industrial property.

Right-of-way Dedication Policy

Staff recommends the applicant submit a proffer to dedicate right-of-way to VDOT or Hanover County at no cost to facilitate planned improvements along Lewistown Road and Ashcake Road. This recommendation is clearly supported by the Comprehensive Plan and two transportation policies, all of which were adopted by the Board of Supervisors within the past 12 months. Specifically, the ***Comprehensive Plan***, adopted September 11, 2013, states:

Support development that sets aside adequate rights-of-way in accordance with the functional classifications and future roads as shown on the adopted Major Thoroughfare Plan....

The **Transportation Policy**, adopted by the Board of Supervisors on May 22, 2013, states:

Advance reservation/acquisition of right-of-way will serve to preserve corridors for future road construction. The County will seek to fund preliminary engineering in corridors with high-development potential to identify future right-of-way requirements. This will facilitate the negotiation for the reservation or dedication of right-of-way during the zoning process.

Lastly, the **Business and Residential Development Road Improvements Transportation Policy** adopted by the Board of Supervisors on March 13, 2013 (the policy that specifically addresses road proffers) states:

Protect ultimate rights-of-way shown on the Major Thoroughfare Plan from encroachment by development and obtain donations of right-of-way for Major Thoroughfare Plan roads and interchanges through the zoning process.

The three policy statements clearly recognize the linkage between land use and transportation, particularly road infrastructure. Land use changes and the likely traffic generated by the proposed development or redevelopment of the subject property increases capacity demand along the county road system. In this case, the owner will benefit from the zoning action. There is a reasonable expectation that the benefit will likely lead to increased traffic generated by the property in the future.

Currently, the sole means of ingress/egress for truck traffic is from Lewistown Road. The planned improvements to Lewistown Road will render the existing full-movement driveway to a right-in/right-out only. To facilitate greater and more convenient circulation to and from the property, the owner has requested a proffer amendment to allow a future full-movement driveway for trucks along Ashcake Road. This driveway will place more traffic onto Ashcake Road, the intersection of Lewistown and Ashcake Roads, and the section of Lewistown Road between the existing driveway and the Lewistown/Ashcake Road intersection.

Further increasing the likelihood of increased traffic from the property are the amendments to the existing proffered use restrictions. Should the request be approved, the owner now has greater use of the property to accommodate additional development.

The intent of the proffer policy is to balance the private benefit resulting in a change of zoning with the cost of road impacts arising from the rezoning. The various transportation policies highlighted above create the expectation that the property owner will bear some of the costs for the transportation impacts arising from the change in zoning. In this particular instance, should the applicant not agree to right-of-way dedication, then the benefits derived from the zoning change and the associated traffic impacts will solely be borne by the public. It is for the reasons stated herein that staff finds no distinction between the anticipated traffic impacts from this zoning request than any other request in which there is a likelihood of increased traffic arising from the proposed rezoning. Therefore, staff recommends the applicant submit a proffer for right-of-way dedication along Lewistown Road that is consistent with the policies articulated in the **Comprehensive Plan**, the **Transportation Policy**, and the **Business and Residential Development Road Improvements Transportation Policy**.

Agency Analysis

Agency	Comment Summary
Public Works	The area where the proposed road is located appears to be flat and potentially could contain wetlands. Prior to approval of any site plan, a wetland delineation and certification would need to be provided for the site. How is the proposed road going to drain? Where will the outfall be located? If the proposed improvements drain to existing drainage infrastructure, demonstration of the adequacy of those structures will need to be shown on the site plan.

GJWB/sm/HTE

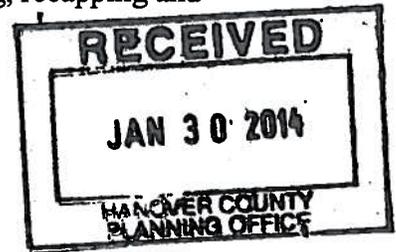
Attachments

- Maps (land use, vicinity, zoning, aerial)
- Historical Commission Recommendation
- Approved Proffers
- County Traffic Study
- Application Materials
- Agency Review Comments
- 527 Traffic Study
- Citizen Correspondence
- Photographs
- Proffers /Conceptual Plan

PROFFERS: C-35-80(c), Am. 1-13, West Engineering Co., Inc.

The undersigned, owners of GPIN 7788-79-7366 ("the Property"), voluntarily agree for themselves, their agent, personal representatives, successors and assigns (collectively "the Property Owner") that, in the event the proffers for the Property are amended, the development and use of the Property shall be subject to the following conditions:

1. Conceptual Plan. The entrances and buffers shall be constructed and remain in substantial conformity with the conceptual plan attached, titled, "West.Engineering Company, Inc., Rezoning Amendment – Ashcake Road Ingress/Egress Concept Plan," dated January 17, 2014, and prepared by Resource International, Ltd.
2. Dedication of Right-of-Way. The Property Owner agrees to dedicate thirty (30) feet of right-of-way from the centerline of Ashcake Road (State Route 657) for future road widening, free of cost to the County, upon request of the County or VDOT.
3. Use Restrictions. The following M-2, Light Industrial District, uses shall not be permitted:
 - a. Animal hospital
 - b. Automobile, tractor, truck, bus, motorcycle body and fender repair
 - c. Automobile, tractor, truck, bus, motorcycle tire retreading, recapping and vulcanizing
 - d. Coal and wood yards, coke storage and sales
 - e. Grain storage
 - f. Greenhouses, commercial, wholesale or retail
 - g. Kennels, boarding or otherwise
 - h. Poultry packing and slaughtering (wholesale)
 - i. Railroad switching yard, primarily for railroad service in the district, team tracks and spur tracks
 - j. Vehicle storage area (not parking garages), including the storage of empty trailers



Stephen N. West, President
 West Engineering Co., Inc.

30 JAN 2014
 Date

COMMONWEALTH OF VIRGINIA,
 COUNTY OF HANOVER, to-wit:

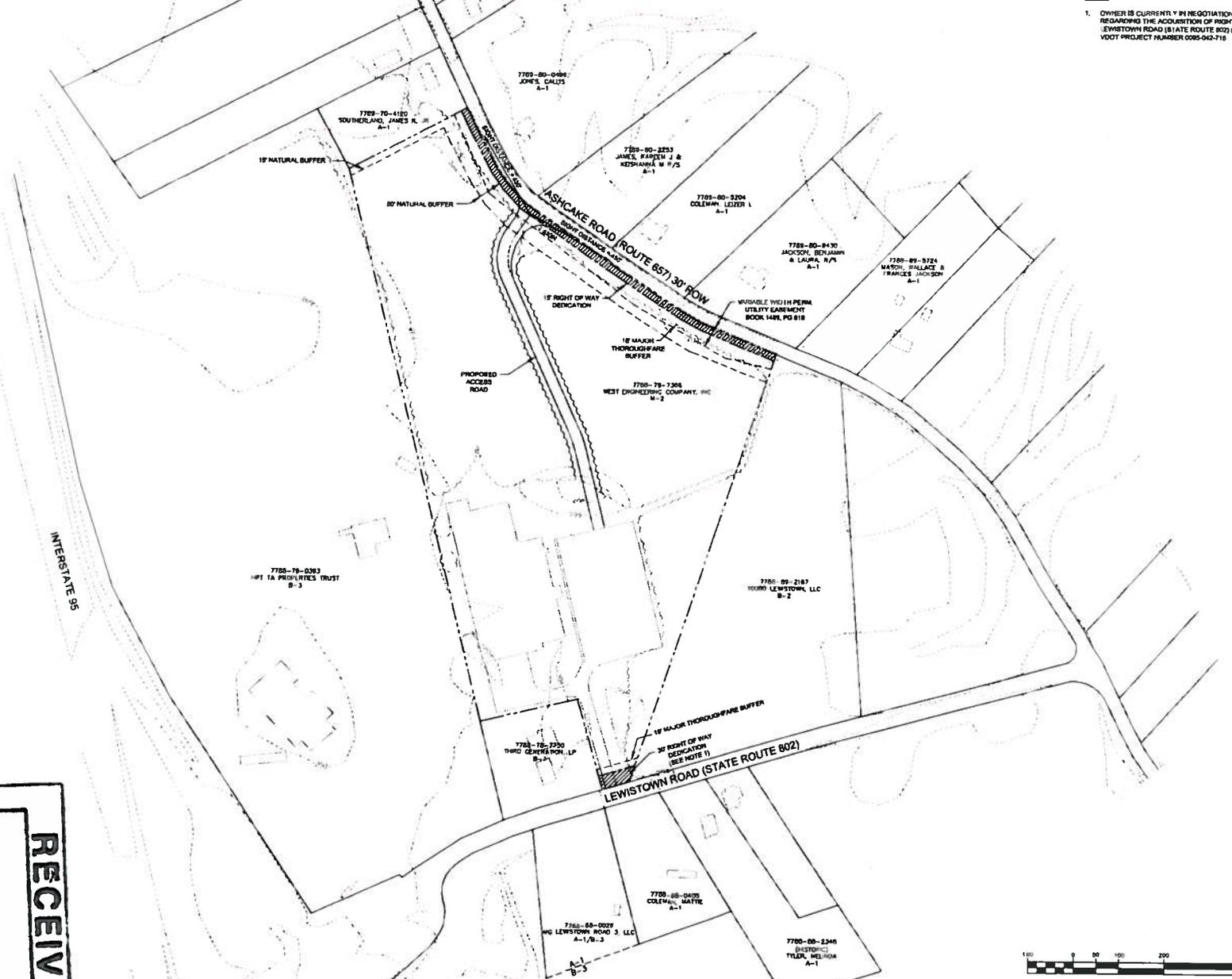
I, Terry A. Fitzgerald, do hereby certify that
Stephen N. West has acknowledged the foregoing
 Proffers before me, this 30 day of JANUARY, 2014.

Terry A. Fitzgerald (SEAL)
 Notary Public

My Commission Expires: 05 / 31 / 2017

TERRY A. FITZGERALD
 NOTARY PUBLIC
 Commonwealth of Virginia
 Registration No. 142111

1. OWNER IS CURRENTLY IN NEGOTIATIONS WITH VDOT REGARDING THE ACQUISITION OF RIGHT-OF-WAY ALONG LEWISTOWN ROAD (STATE ROUTE 802) IN CONJUNCTION WITH VDOT PROJECT NUMBER 055-042-710



INTERSTATE 66

7709-80-0494
JONES, CALYS
A-1

7709-70-4120
SOUTHERLAND, JAMES R.
A-1

15' NATURAL BUFFER

15' NATURAL BUFFER

7709-80-2253
JAMES, KAPPEL J &
KEESHANA, W W/O
A-1

7709-80-8206
COLEMAN, LEITER I
A-1

ASHCAKE ROAD (ROUTE 657) 30' ROW

7709-80-8430
JACKSON, BENJAMIN
& LAURA, W/O
A-1

7709-89-9724
MARION, WALLACE &
FRANCES, JACKSON
A-1

15' RIGHT OF WAY DEDICATION

VARIABLE WIDTH PERM
UTILITY EASEMENT
BOOK 1481, PG 818

15' MAJOR THOROUGHFARE BUFFER

PROMISED
ACCESS
ROAD

7709-78-7206
WEST ENGINEERING COMPANY, INC
B-2

7785-78-0383
HPT 1A PROPERTIES TRUST
B-3

7780-89-2187
10000 LEWISTOWN, LLC
B-2

7781-78-7000
THIRD GENERATION LP
B-3

15' MAJOR THOROUGHFARE BUFFER

30' RIGHT OF WAY DEDICATION
(SEE NOTE 1)

LEWISTOWN ROAD (STATE ROUTE 802)

7709-88-0408
COLEMAN, MATTE
A-1

7780-88-0029
MC LEWISTOWN ROAD 3, LLC
A-1/B-3

7709-88-2346
SHERRILL
TYLER, MELINDA
A-1



(IN FEET)
1 inch = 100 ft

RECEIVED
FEB 12 2001