

Hanover County, Virginia

Land Use Map

Legend

- Agricultural
- Rural Village
- Suburban Transitional
- Suburban General
- Suburban High
- Multi-Family
- Commercial
- Multi-Use
- Mixed-Use (LC/HR)
- Mixed-Use (HC/LR)
- Business-Industrial
- Industrial
- Limited Industrial
- Planned Business
- Destination Commerce
- Flood Plain

C-4-14

Hopkins Properties II, L.L.C.

Rezone R-6 & B-3 to B-3

Commercial Land Use

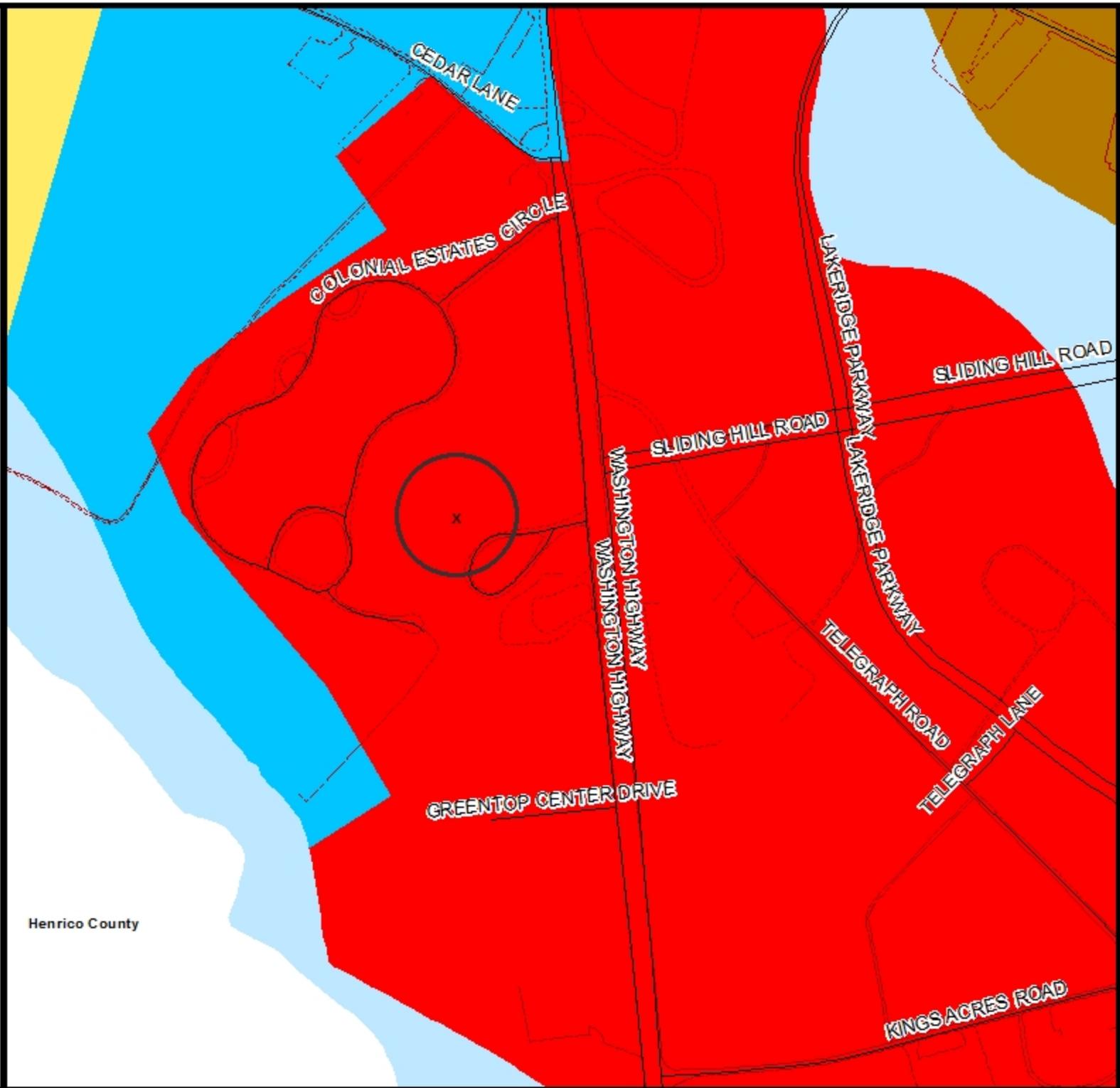
GPIN: 7787-25-8028

South Anna Magisterial District



1 inch = 400 feet

April 07, 2014



**Hanover County,
Virginia**

General Parcel Map

Legend

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

C-4-14

Hopkins Properties II, L.L.C.

Rezone R-6 & B-3 to B-3

Zoned R-6 & B-3

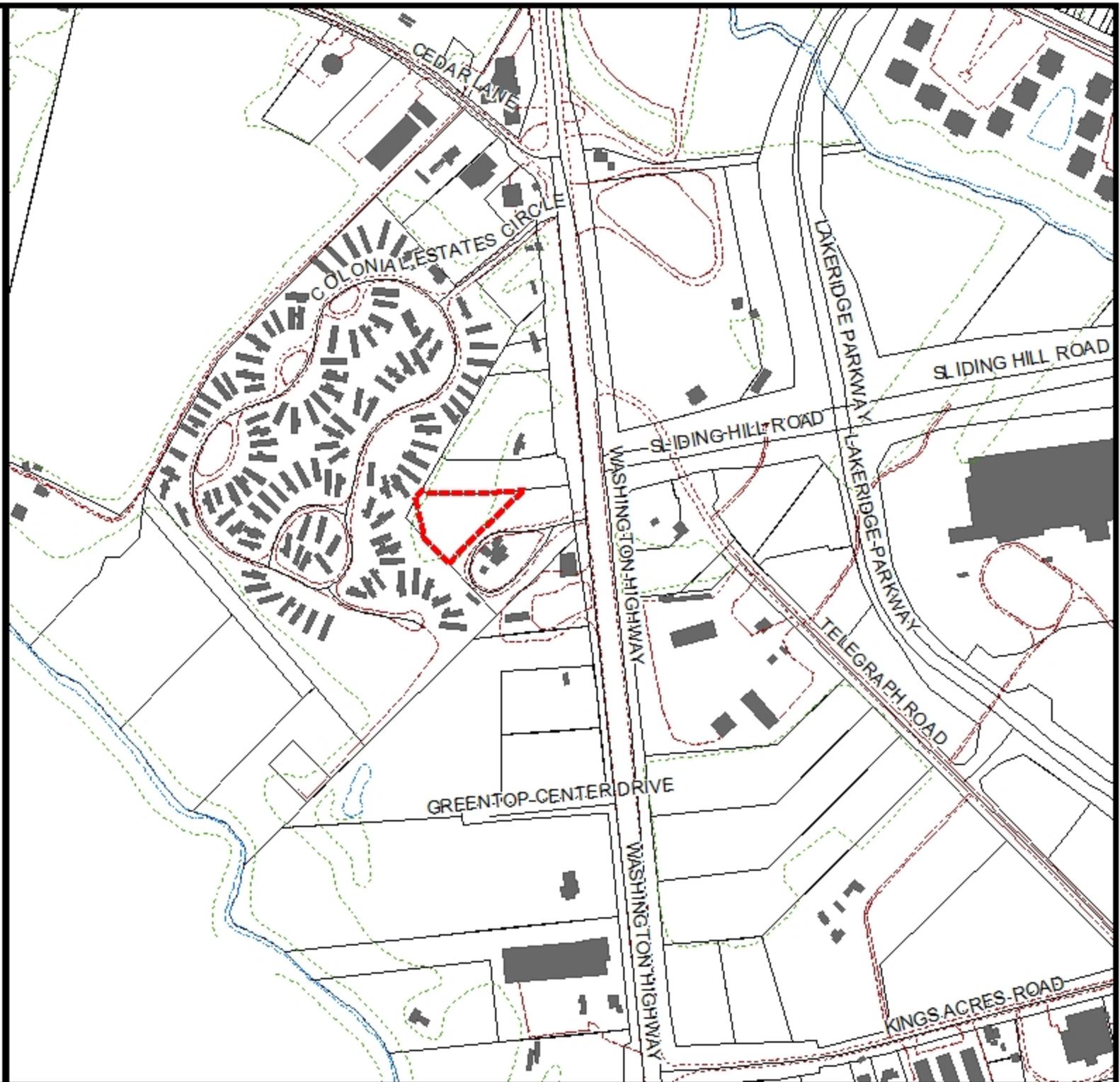
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South Anna Magisterial District



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April 07, 2014



Hanover County, Virginia

Zoning Map

Legend

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

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Rezone R-6 & B-3 to B-3

Zoned R-6 & B-3

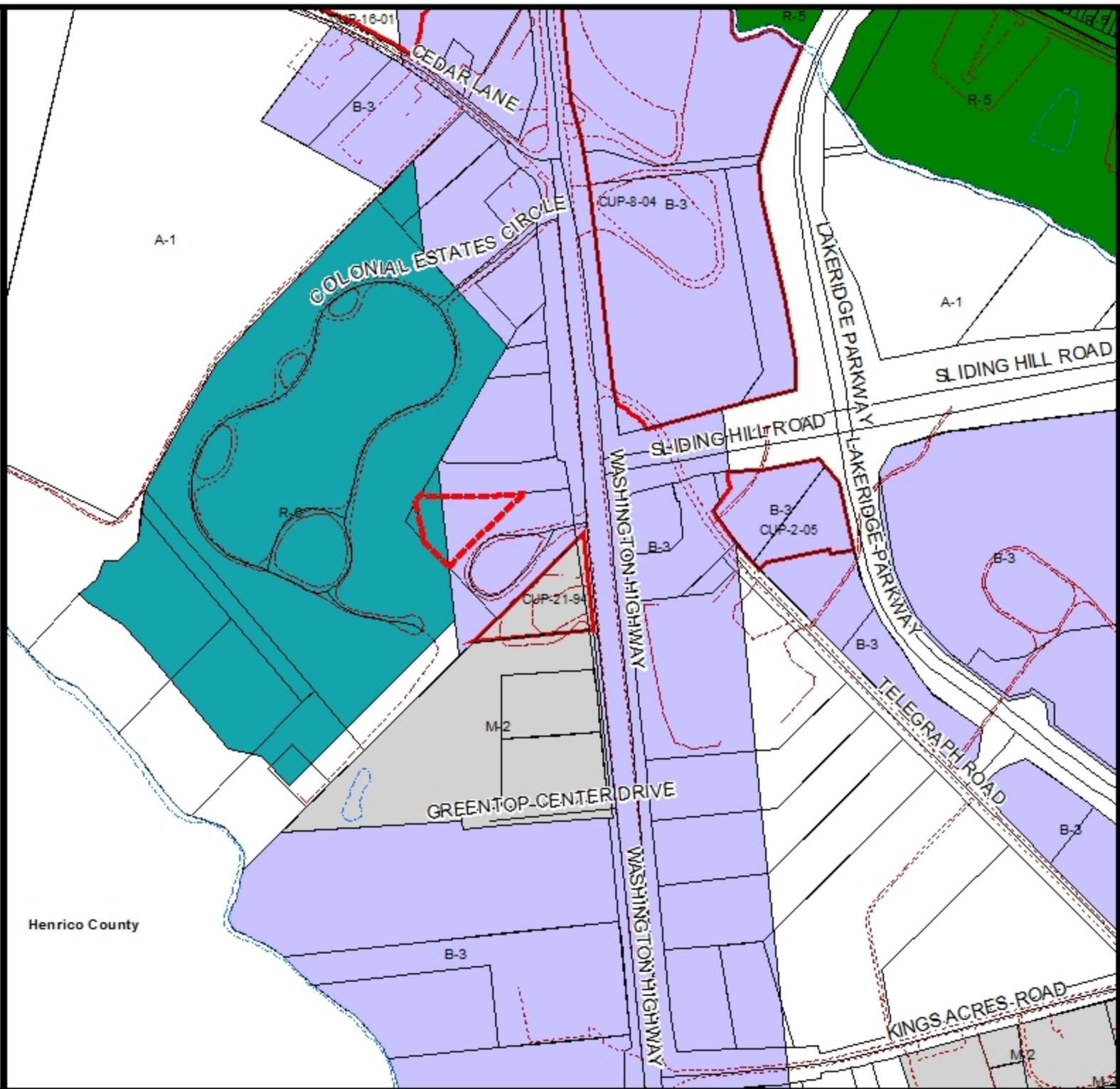
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April 07, 2014





**C-4-14, HOPKINS PROPERTIES II, L.L.C., ET AL.
(BURGERBUSTERS, INC.)**



Commercial Rezoning Report
South Anna Magisterial District
PC Meeting Date: June 19, 2014

Overview

Current Zoning	R-6, Residential Mobile Homes District and B-3, General Business District
Requested Zoning	B-3(c), General Business District with conditions
Acreage	2.94 acres
Location	On the west line of Washington Highway (U.S. Route 1) at its intersection with Sliding Hill Road (State Route 656)
GPINs	7787-25-8028 and 7787-25-9074
General Land Use Plan	Commercial
Major Thoroughfare Plan	Washington Highway – Major Arterial (120' right-of-way)
Suburban Service Area	Inside
Case Planner	Gretchen Biernot

Executive Summary

This is a request to rezone to B-3(c), General Business District with conditions to permit general business uses including a drive-through restaurant. Only a portion of the site that is zoned R-6, Residential Mobile Homes District, requires a change in zoning. However, the applicant has included the entire site in the application to allow consistent standards to be applied across the development.

Staff Recommendation

DENIAL as submitted but **APPROVAL** subject to changes to the submitted proffers, dated June 5, 2014, conceptual plan, dated May 28, 2014, and elevations, dated May 29, 2014.

Planning Analysis

The applicant is requesting B-3 zoning to allow at least one drive-through restaurant and other general business uses. The majority of the subject property was zoned B-3 with the comprehensive rezoning of 1974 but a small portion of one of the two subject parcels is zoned R-6. The applicant has included both parcels in this request to allow for development standards to be consistently applied throughout the site.

The conceptual plan shows a proposed Taco Bell restaurant and two other buildings with associated parking. Access to the property is provided by an easement for ingress and egress to U.S. Route 1. The easement is located on a parcel reserved for the future extension of Sliding Hill Road. No direct access to U.S. Route 1 is proposed. The proposed driveways on the access easement align with the existing Arby's driveways north of the property. The TRC Commercial Subdivision includes part of the subject property, the Arby's site, and the Sliding Hill Road extension. The subdivision plat notes that when the area reserved for the Sliding Hill Road extension becomes a public road, the eastern entrance shall be closed. Staff has recommended the same requirement apply to the subject site, and the applicant has submitted a draft proffer attempting to address this issue. However, the proffer states that the closing of the entrance shall be considered in the future. Staff is recommending that the proffer language be revised to state that the entrance be closed unless otherwise permitted by VDOT.

Comprehensive Plan/Compatibility with Surrounding Area

The proposed B-3 zoning is consistent with the General Land Use Plan Map in the Comprehensive Plan. The subject property as well as the surrounding properties are designated for Commercial use. This request achieves the following objectives for Commercial land use in the Comprehensive Plan:

- *Ensure land uses are harmonious with surrounding uses; intensity of commercial and industrial uses should be evaluated to assure the appropriate transition of uses*

The proposed uses of the property are compatible with this heavily commercial area of U.S. Route 1. A buffer along residentially-zoned properties is required by the U.S. Route 1 Corridor Overlay, which will help to reduce the impacts on the R-6 zoned manufactured home park to the rear of the property.

- *Encourage distinction in building elevations through architectural form, building materials, color, and texture; Support master planned development that includes harmonious architecture and landscaping and maintains higher standards*

The elevations submitted for Taco Bell show their new sleek and minimalist redesign of their buildings. The applicant has proffered these elevations along with a unified architectural theme and use of high quality materials for the property.

- *Encourage development of commercial corridors that are attractive and inviting for businesses through the use of landscaping, buffers and coherent, uniform signage free of visual clutter and confusion*

The U.S. Route 1 and Suburban Development Overlays of the Zoning Ordinance will require additional standards for this development, including parking lot landscaping and underground utilities. A 25' landscaped thoroughfare buffer shall be required along U.S. Route 1. In addition, the use of monument signs compatible with the architectural theme of the property have been proffered.

- *Ensure provision of adequate and safe vehicular access to thoroughfares*

The proposed entrances are shown on the access easement that runs across a parcel reserved for the Sliding Hill Road extension, a proposed Major Collector on the Major Thoroughfare Plan of the Comprehensive Plan. VDOT has indicated that the eastern entrance closest to U.S. Route 1 would not be approved on the future public road without a waiver as it will be in the functional area of the intersection. Staff is recommending a proffer to require the closure of this entrance when the road is made public as well as dedication of right-of-way in accordance with the Major Thoroughfare Plan.

Agency Analysis

Agency	Comment Summary
Public Works	Addressing drainage may be a challenge and may require detention on site. It must be self-contained and not allowed to leave the site through Colonial Estates or other residential properties. Compliance with the new Stormwater Regulations will be required if the site is not under VSMP permit prior to July 1, 2014.
Public Utilities	All infrastructure must be designed and constructed in accordance with DPU's Water and Sanitary Sewer Standards. Each building must have a separate water meter and monitoring manhole. Appropriately sized grease traps must be provided for all restaurants.
VDOT	A spacing waiver will be needed to allow the easternmost entrance on future Sliding Hill Road.

Proffers

The applicant submitted a draft proffer document on June 5, 2014. With the exception of Proffer #7 regarding access, staff recommends approval of the proffers as submitted.

1. Conceptual Plan. The applicant has proffered that the development shall be in general conformity with the sketch plan.
2. Architecture. Elevations for the proposed Taco Bell restaurant have been provided, and the applicant has proffered to develop in substantial conformity with these plans. The applicant has also proffered a unified architectural theme throughout the property with final approval of all elevations by the Planning Director.
3. Materials. The applicant has proffered quality architectural materials to be used.

4. HVAC Units. All mechanical units shall be screened.
5. Monument Signs. All commercial signage shall be monument style, and sign materials shall be compatible with the proposed structure.
6. Site Lighting. Light poles are limited to 35' in height. The maximum height for the B-3 district would otherwise be 45'.
7. Access. The applicant has proffered that the entrances be constructed in general conformity with the conceptual plan and that the issue of closing the eastern entrance shall be considered in the future should this easement, reserved for the future extension of Sliding Hill Road, become public. First of all, staff recommends that the applicant proffer development in substantial conformity with the entrances shown on the conceptual plan. In addition, right-of-way dedication for Sliding Hill Road extension is recommended in accordance with the Major Thoroughfare Plan. If the necessary right-of-way is already in place, this language may not be necessary. Also, as previously discussed in this report, it is recommended that the proffer state that the eastern entrance closest to U.S. Route 1 be closed when the Sliding Hill Road extension becomes public, unless otherwise permitted by VDOT. This language is consistent with the requirements for the Arby's property to the north. Staff recommends that the proffer be revised to reflect the following language:

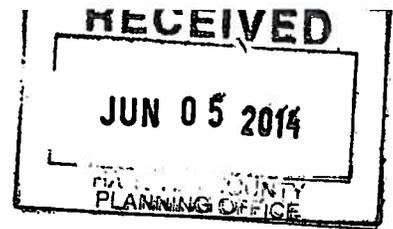
Access. All entrances shall be constructed in substantial conformity with the Conceptual Plan. When Sliding Hill Road is extended, the Property Owner shall dedicate the necessary right-of-way, free of cost to the County, upon request of the County or VDOT, and the area of dedication shall generally conform to the *Major Collector – Urban Section* diagram found on Page 3-9 of the *Comprehensive Plan for Hanover County* adopted by the Board of Supervisors on September 24, 2013. At the time that the extension of Sliding Hill Road is constructed, the easternmost driveway, as shown on the Plan, shall be closed by the Property Owner unless otherwise permitted by VDOT.

8. Use Restrictions. The applicant proffered out B-3 uses that may be considered inappropriate uses of this prime commercial property.

GJWB/sm/HTE

Attachments

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



PROFFERS: C-4-14(c), Hopkins Properties II, LLC

The undersigned, Hopkins Properties II LLC, owner of parcel designed GPIN 7787-25-8028, and Dare Properties LLC, owner of parcel designed GPIN 7787-25-9074 (“the Property”), voluntarily agrees for themselves, their agent, personal representatives, successors and assigns (collectively “the Property Owner”) that, in the event the Property is rezoned to B-3, the development and use of the Property shall be subject to the following conditions:

1. Conceptual Plan. The Property shall be developed in general conformity with the conceptual plan attached, titled “Concept Plan,” dated 5/28/14, and prepared by Sekiv Solutions.
2. Architecture. The Taco Bell structure shall be developed in substantial conformity with the conceptual elevation titled, “VCC Hanover County, VA,” with a plot date of May 29, 2014. The structures on the remaining property shall be developed with a unified and complementary color and architectural theme. Retail tenants will be permitted to include prototypical or corporate identification architectural elements in the design of their building or space. The standard or compatibility may be met through scale, materials, forms and/or colors. Elevations of the proposed retail and business structures, including proposed materials, shall be submitted to the Planning Director for his review and approval or disapproval, in his sole discretion, prior to site plan approval.
3. Materials. Exterior wall surfaces (whether front, side or rear) of each building shall be similar in architectural treatment and materials as the front wall surfaces, when such wall surfaces are visible from Route 1. Building materials utilized for the facades of the buildings shall be limited to brick, colored (not painted) split-face block, textured concrete tilt-up panels, metal, fluted block, tile, concrete tile, dryvit or Exterior Insulated Finish System (E.I.F.S.), real or simulated wood and/or glass. Decorative metal may be used for not more than sixty five (65) percent of front and side building façade materials, exclusive of window frames and door frames. Roofing materials shall be dimensional asphalt shingle, real or simulated slate or standing metal seam, if a raised roof, or if a flat roof system is used, then a perimeter parapet of dryvit, E.I.F.S. standing metal seam, colored (not painted) decorative split face block, fluted block, tile, concrete tile, textured concrete tilt-up panels or brick shall be used. Elevations for all buildings to be constructed upon the Property shall conform to the foregoing limitations.
4. HVAC Units. Any mechanical units on the Property shall be screened, and if on the roof, screened by architectural features which are compatible with the building façade architecture. Screening shall be designed so as to block such units from view by persons from the ground immediately adjoining the Property, or from adjacent residential uses. The method of screening shall be submitted at the time of site plan review.
5. Monument Signs. All freestanding signs on the Property shall be monument type and shall include materials and design that are compatible with the proposed materials and architectural theme of the proposed structure.
6. Site Lighting. Lighting fixtures shall not exceed thirty-five (35) feet in height.

7. Access. All entrances on the future extension of Sliding Hill Road (State Route 656) shall be general conformance with the concept plan provided. Future consideration to closing the entrance nearest Route 1 will be made, if the privately owned portion of Sliding Hill Road west of Route 1 is ever made public.

8. Use Restrictions. The following B-3, General Business District, uses shall not be permitted:

- a. Animal hospital or kennel with any open pens
- b. Boat, personal watercraft, and boat trailer dealers, including service, repair and storage
- c. General contractor and repair shops
- d. Greenhouses, commercial, wholesale or retail
- e. Manufactured home sales, display and storage
- f. Utility trailer sales and rental
- g. Wholesale establishments
- h. Adult uses
- i. Truck dealers, including sales, service, and repairs (new and used vehicles)
- j. Automobile and motorcycle body and fender repair
- k. Automobile dealers (used vehicles)

Owner

Date

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

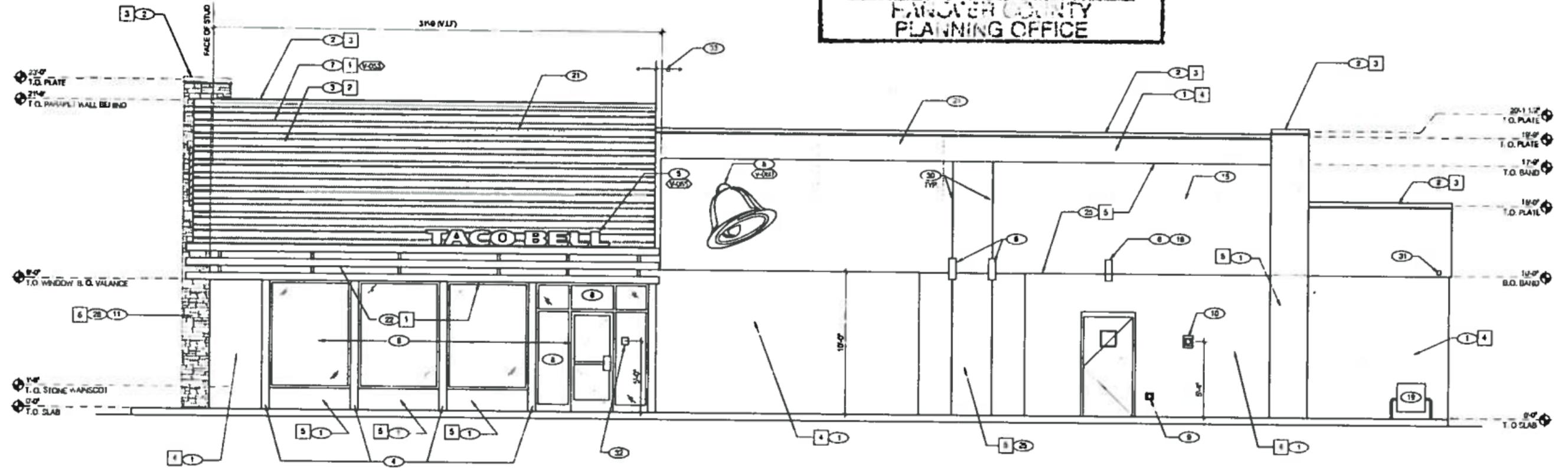
I, _____, do hereby certify that
_____ has acknowledged the foregoing
Proffers before me, this ____ day of _____, 2014.

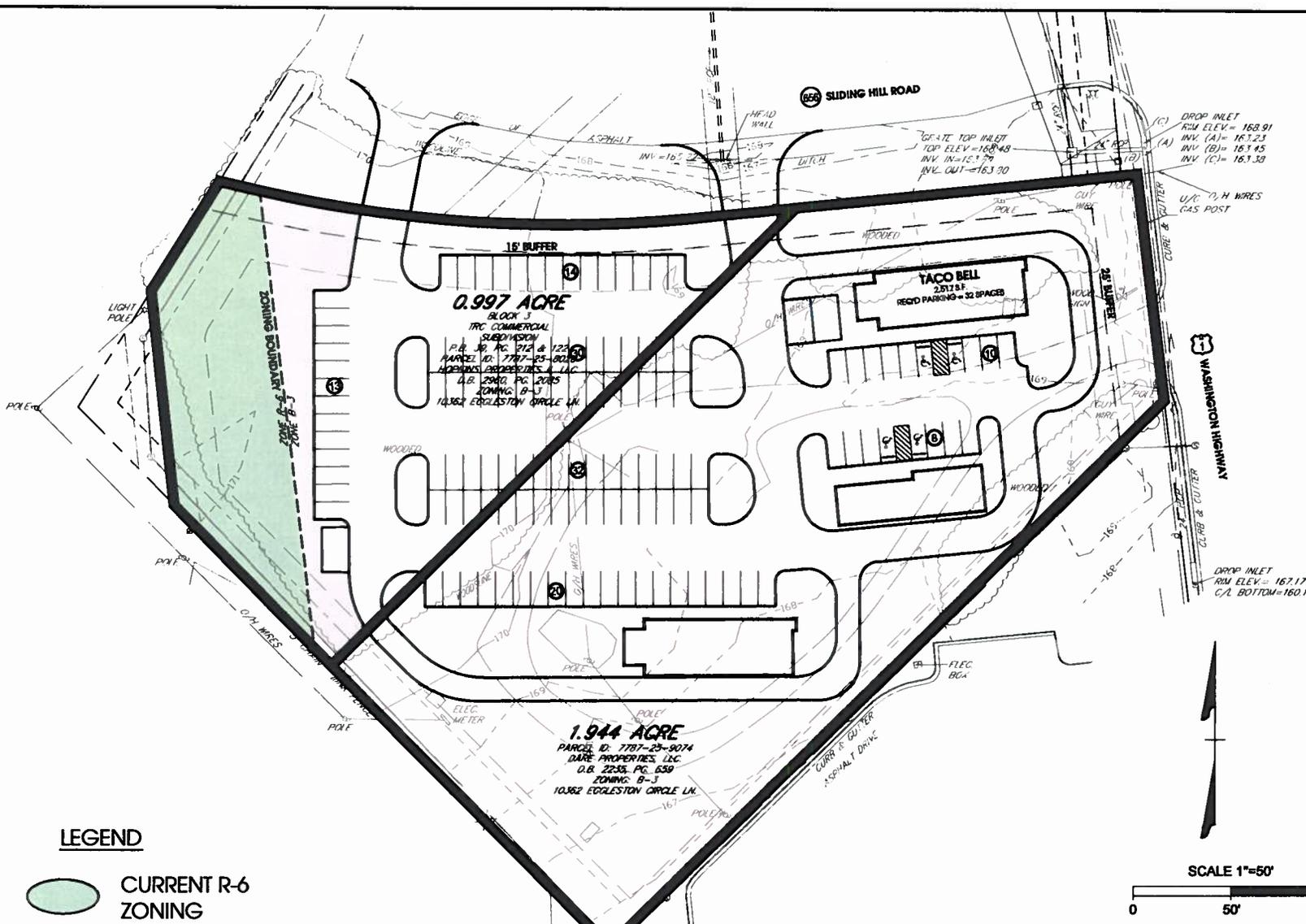
(SEAL)
Notary Public

My Commission Expires: / /

MAY 29 2014

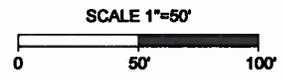
HANOVER COUNTY
PLANNING OFFICE





LEGEND

-  CURRENT R-6 ZONING
-  CURRENT B-3 ZONING



 <small>OPTIMIZING YOUR DEVELOPMENT PROJECTS 1427 POND CHASE PLACE MEDFORD, VA 20118 TELEPHONE NO. 804.996.8864 www.sekivolutions.com</small>	SHEET TITLE: CONCEPT PLAN	DATE: 5/28/14	REVISION: -	SHEET NO.:
	PROJECT: TACO BELL - VIRGINIA CENTER COMMONS	SCALE : AS SHOWN		C1.0