

# SE2020-00005, AIR PARK ASSOCIATES, L.P.

Special Exception Permit Report  
Ashland Magisterial District  
Board Meeting Date: May 6, 2020



## Overview

Request	To allow a building height taller than permitted
Zoning	M-2(c), Light Industrial District with conditions
Acreage	217.34 acres
Location	On the west line of Sliding Hill Road (State Route 656) approximately 1,000 feet south of its intersection with Ashcake Road (State Route 657) and on the south line of Ashcake Road (State Route 657) approximately 800 feet west of its intersection with Sliding Hill Road (State Route 656)
GPINs	7798-44-0937, 7798-44-0663, 7798-44-2350, 7798-33-3765, 7798-34-2121, 7798-24-8382, 7798-24-6569, 7798-24-4811, 7798-25-1001, 7798-35-3160, 7798-35-4750, 7798-35-0225, 7798-25-6471, 7798-45-3554, 7798-54-5903, 7798-33-9427, 7798-43-4904, 7798-43-4481, 7798-43-8505, 7798-53-1614, 7798-35-1840
General Land Use Plan	Limited Industrial
Major Thoroughfare Plan	Sliding Hill Road –Minor Arterial (100’ right-of-way) Ashcake Road – Minor Collector (60’ right-of-way)
Suburban Service Area	Inside
Case Planner	Gretchen W. Biernot

## Executive Summary

This is a request to allow a building that is taller than permitted in the M-2, Light Industrial District. M-2 has a maximum height requirement of 45’, and the applicant is requesting a 62’ tall building. The proposed building is a grocery distribution facility. This Special Exception is a companion application to REZ2019-00037, Air Park Associates, L.P., which is a request for a proffer amendment.

## Staff Recommendation

Should the Board of Supervisors find this request appropriate and make the findings as specified in Section 26-332, staff recommends **APPROVAL** subject to the conditions as outlined in the staff report.

## **Planning Analysis**

### *Elevations*

The proposed building elevations show a 45' insulated metal panel building. Penthouses containing refrigeration units are 16' wide with a staggered placement throughout the top of the building. The height of the roof of these penthouses is 57' tall. These heights are measured at the finished floor elevation, which is 4' above grade. Therefore, the applicant is requesting a 62' tall building measured at grade, taking into account the height of the foundation level.

### *Standard Findings*

A special exception may only be granted if the Board makes the following findings per Section 26-332:

1. *The proposed use or proposed modification of generally applicable regulations is compatible with the character of the surrounding area;*

The proposed building will be taller than others in the surrounding area but the portions of the building that exceed the 45' height requirement (penthouses) are only 16' wide. The elevations show the proposed building from every direction, with a varied number of penthouses for each view.

2. *The proposed use or proposed modification will not produce noise, odor, vibration, or glare beyond that which is generally produced by uses that are permitted by right in the applicable zoning district;*

A height exception of 17' for portions of the building will not produce noise, odor, vibration, or glare concerns. The taller height accommodates the penthouses that contain the refrigeration units. Since these units are enclosed, noise impacts are expected to be minimal.

3. *The proposed use or proposed modification will not create traffic congestion and will not impair the safe and efficient travel along the county's road network;*

The proposed modification to height requirements will not impact traffic.

4. *The proposed use or proposed modification will not diminish the view shed as seen from the public right-of-way, or unreasonably impact historic or natural resources;*

As noted above, only the 16' wide penthouses exceed the height requirement. The view from the public right-of-way should be minimized by the buffering and screening proposed around the perimeter of the property.

5. *The proposed use or proposed modification will not impair the public health, safety, and general welfare;*

The public health, safety, and general welfare will not be impaired by the proposed modification. An aeronautical study has been submitted to the FAA due to its proximity to the Hanover County Airport. This study determined that the proposed building would not be a hazard to air navigation. A copy of this determination can be found in the background of this report.

6. *The approval of the special exception is consistent with good zoning practices and the comprehensive plan; and,*

Because of the extensive perimeter buffering and screening to be provided on the property, approval of the height exception is consistent with good zoning practices. The proposed use is consistent with the Comprehensive Plan, as the subject property is designated for Limited Industrial use and located in an Economic Development Zone.

7. *All other additional requirements for a proposed use or proposed modification that are set forth elsewhere in this chapter are satisfied.*

Should this request and the rezoning amendment be approved, a site plan must be approved that demonstrates all Zoning Ordinance requirements are met.

### **Agency Analysis**

There were no substantive comments from any of the reviewing agencies.

**In accordance with Section 26-333, the site shall be developed and maintained in substantial conformity with the sketch plan titled, Wegmans Virginia Distribution Center Conceptual Plan,” dated March 20, 2020, prepared by Timmons Group, and the elevations titled, “Wegmans Virginia Service Center”, dated March 16 and 19, 2020, and prepared by Whiting-Turner.**

### **Staff’s Recommended Conditions**

Staff recommends **APPROVAL**, subject to the following conditions:

1. The building height shall not exceed 62 feet, including appurtenances.
2. All requirements of the Building Inspector’s Office shall be met.
3. All development and use of the property which is the subject of this Special Exception request shall comply with all Federal, state and local laws.

GJWB/

**Attachments**

- Maps (land use, vicinity, zoning, aerial)
- Application Materials
- Determination of No Hazard to Air Navigation
- Elevations/Sketch Plan