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HANOVER COUNTY

P. O. BOX 470
HANOVER, VIRGINIA 23069-0470

MEMORANDUM

TO: Hanover County Planning Commission

FROM: John H. Hodges, AICP, Director of Planning 

SUBJECT: Status Report and Revised Recommendations
C-13-94(c), Air Park Associates

DATE: January 19, 1995

COPIES: Applicant
John W. Fairburn
Todd Benson, Esquire
Craig Parsons
Natalie Schermerhorn
Other Interested Parties

This report is to update the Commission and interested parties in the status of this rezoning case since the January 6, 1995, public hearing.

The original staff report was prepared in August, 1994, and reviewed and distributed December 22, 1994. The attachments to the proffers submitted by the applicant were not included by mistake. Although copies of the two exhibits were distributed at the January 6, 1995, public hearing, the applicant's latest proffer of November 14, 1994, with two exhibits are reprinted in full again for the benefit of all parties. We apologize to the applicant for this previous omission.

As is the Commission's policy (to reduce copying costs) we have not re-run the body of the December 22, 1995, report; but additional copies are available upon request.

Revised Recommendation Presented January 6, 1995

In addition, at the January 6, 1995, public hearing, the staff verbally reported on discussions held with the applicant on January 5, 1995. In a follow-up meeting with Mr. Todd Benson, an attorney for area residents, the staff reiterated its recommendations as follows (based on the applicant's proffers):

Proffers 1 and 2 - Protective Covenants. The staff continues to recommend Planning Commission review based on development criteria as opposed to the Protective Covenants as proposed by the applicant.

Proffer 3 - Access. Staff revised its recommendation to allow for public or private access but only with Planning Commission review.

Proffers 4 and 5 - Storage and Parking. No change.

Proffer 6 - Buffer Strip. Clarified that "buffer" is intended to be the Commercial Landscape Standard.

Proffers 7 and 8 - Parking Lot Lighting and Utility Lines. No change.

Proffer 9 - Use Restriction. Staff continues to oppose the three industrial uses as cited (exterminating, insecticides and heavy vehicular repair establishments).

Proffer 10 - Traffic. Staff agreed to the following as set forth in Jack Bagby's memorandum of 12/19/94:

- (1) Total Development Acreage - applicant should delete second sentence in paragraph 10 of applicant proffers so that only the trip generation rates are used (no square footage).
- (2) Staff would agree to give credit for 67 acre existing zoning with the understanding from the applicant that an estimated \$80,000 of public road improvements would be necessary to make all of this area developable (through A-1 frontage). This revised recommendation assumes the other staff traffic recommendations are included by the applicant with the proffers.

- (3) Staff agreed with the applicant that the preliminary subdivision plan would meet the Master Plan requirements.
- (4) Recommend that applicant allow private and/or public external access subject to Planning Commission review but no more than four entrances per road (Ashcake and Sliding Hill).
- (5) Agreed with applicant regarding Thoroughfare Plan dedication in accordance with the plan prepared by the County's traffic consultant, revised to reflect an acceptable curve on Sliding Hill Road.
- (6) Staff continues to recommend off-site improvements to the New Ashcake and Sliding Hill Road intersection (applicant disagrees).
- (7) Staff and applicant agreed that VDOT standards would be used in determining the need for signalization.
- (8) Staff would recommend a revision in original recommendation to incorporate the following development caps:

<u>Percentage Development</u>	<u>Traffic Improvements</u>
Up 25% of Traffic Density	New Ashcake/Sliding Hill Intersection Improvements
25-50% of Traffic	4 lanes from I-95 to New Ashcake/Sliding Hill
50% of Traffic	2 lanes of New Ashcake from New Ashcake to Ashcake near Lewistown Road

- (9) Staff still recommends left and right turn lanes whenever access to major thoroughfare is provided.

Proffer 11 - Right-of-Way Dedication. As indicated above, the staff believes they are in agreement with the applicant in regards to future thoroughfare dedication.

Proffer 12 - Severance. No change.

Proffer 13 - Historic Preservation. New recommended proffer. Staff supports Historic Society's recommendation to include replacement of old APVA marker and the Historical Commission's proposal for alternatives to minimize impact and require a Phase I archeological survey before this area is developed.

The staff also supports protection of Black Cemeteries with designation, adequate access and appropriate buffering.

Finally, the staff believes the requested revisions in the proffers as set forth in Mr. Benson's January 4, 1995, letter are reasonable additions to help protect neighboring areas.

Additional Information

At the January 6, 1995, public hearing, representatives of the Brown Grove Community asked for a deferral to review the applicant's proposal. Under separate cover, the staff agreed to attend a special meeting January 13, 1995, at the Brown Grove Church (notice attached). The Planning Staff (John Hodges), the Commission (Mr. O'Connor) and the Board (Mr. Gillis) were represented at this meeting. The meeting was well attended with approximately a hundred (100) people from the area. Following a presentation by the staff a number of questions were raised, summarized as follows:

1. Concern that not all cemeteries were identified (correspondence also attached from Ms. Lozano).
2. Concern with four entrances onto Ashcake Road. Residents felt the number should not exceed two (2).

3. Concern with potential adverse impact of some M-2 industrial uses like insecticides manufacture/storage. Asked if property could not be limited to M-1 zoning uses or other compatible uses.
4. General concern with impact of traffic on community and the safe functioning of the road system.
5. Concern with protecting the Historic sites.
6. Concern that there be a "transition" in density down from the Airpark to Ashcake Road with greater buffers and protection for existing and proposed residences and the rural area across Ashcake Road.
7. Support for a Comprehensive Plan Amendment to add residential areas so as to change the existing plans for development in the Brown Grove area.

Finally, attached are updated comments from Mr. Benson, Ms. Schermerhorn and Ms. Lozano. Additional comments are expected from Mr. Craig Parsons representing the Brown Grove Neighborhood.

Please advise if there is any additional information which is needed.