



Waynesboro City Council Agenda Briefing

Meeting Date:	August 10, 2020	Staff/Council Member(s): Luke J. Juday, Planning Director Kira Johnson, Associate Planner
Agenda Item #	5	
Ordinance#	2020-	
Department:	Planning	
Subject:	Rezone a 69.46-acre site at 0 Tiffany Drive from H-B (Highway Business) & RS-12 (Single-family Residential-12) to RG-5 (General Residential) & R-MF (Multifamily Residential).	
Attachments	<ol style="list-style-type: none"> 1. Planning Commission recommendation 2. Staff report 3. Proposed Layout 4. Draft ordinance 	
Planning Commission Recommendation	Planning Commission recommends approval of the rezoning on a 7-0 vote with proffers submitted by the applicant.	

Background:

Planning Commission held a public hearing on July 21, 2020 to consider a rezoning request by Rosser Avenue Development, LLC, owner of 0 Tiffany Drive (TM 41-3-112). The majority of the parcel, also known as the "Carflo Farm property" is currently zoned RS-12, allowing low-density residential development, and H-B Highway Business, allowing heavy commercial uses. The applicant proposes that the site be rezoned to a combination of RG-5 (General Residential) and R-MF (Multifamily Residential). The subject property is the largest remaining infill opportunity in the City, and as such represents an opportunity to grow the City in a more efficient land use pattern without major geographic extension of urban services.

The development will follow the pattern outlined in the attached site plan. The developer proposes dedication of approximately 10 acres along Pratt's Run to the City for future recreational use, as well as constructing a pocket park that will be owned and maintained by the neighborhood's Homeowners Association. Right of way will also be reserved for a future extension of Tiffany Drive to connect with the Silver Creek development and for construction of the planned Lew Dewitt-Rosser Connector road.

Planning Commission Recommendation:

The Planning Commission recommends approval of the rezoning on a 7-0 vote.

City Manager's Recommendation:

The City Manager recommends approving the rezoning.

Suggested Motion(s):

Introduce the draft Ordinance as provided in Attachment #4.



**RESOLUTION AND RECOMMENDATION TO THE CITY COUNCIL
FROM THE WAYNESBORO PLANNING COMMISSION
REGULAR MEETING OF JULY 21, 2020 PER
ZONING MAP AMENDMENT 20-002**

WHEREAS, upon a Zoning Map Amendment (rezoning) application by Riverbend Development on behalf of Rosser Avenue Development LLC, the Waynesboro Planning Commission finds that the request to rezone a property at 0 Tiffany Drive, City Tax Map #41-3-112 from RS-12 (Single Family Residential 12) and H-B (Highway Business) to RG-5 (General Residential) and R-MF (Multifamily Residential) is consistent with good planning and zoning practice; is justified by the public necessity, convenience, and general welfare; and is in accord with the comprehensive plan of this City;

NOW, THEREFORE, BE IT RESOLVED by the Waynesboro Planning Commission, by a vote of 7-0, that a recommendation be forwarded to City Council that the request of Riverbend Development on behalf of Rosser Avenue Development LLC be approved, in accordance with the application and staff report dated July 21, 2020 and a signed proffer letter specifying the proffers discussed in the staff report.

Luke J. Juday
Clerk of Planning Commission



CITY OF WAYNESBORO, VIRGINIA

Staff Report

Zoning Map Amendment (Rezoning)

ZMA 20-002

July 21, 2020, amended August 10, 2020

SUMMARY SHEET

Applicant:	Riverbend Development
Address/Legal Description:	0 Tiffany Drive Waynesboro, VA 22980
Total Acreage:	69.46 acres
Tax Map Number:	41-3-112
Property Owner of Record:	Rosser Avenue Development, LLC 315 E. Water Street Charlottesville, VA 22902
Current Zoning:	H-B (Highway Business) and RS-12 (Single-family Residential-12)
Proposed Zoning:	RG-5 (General Residential) and R-MF (Multifamily Residential)
Comprehensive Plan Designation:	Mixed Use E
Attachments:	1. Proposed Layout 2. Proffer letter 3. Traffic Impact Analysis
Flood Plain:	No
Enterprise Zone:	No
Action Requested:	Rezone a 69.46-acre site at 0 Tiffany Drive from H-B (Highway Business) & RS-12 (Single-family Residential-12) to RG-5 (General Residential) & R-MF (Multifamily Residential).
Authorizing City Code Section(s):	City Zoning Ordinance Section 7.4
Summary Recommendations:	City staff recommend approval of the application for rezoning, along with the attached staff report and proffers.

1. Nature of Request

Rosser Avenue Development, LLC, owner of 0 Tiffany Drive (TM 41-3-112), is requesting a rezoning of the property. The majority of the parcel, also known as the “Carflo Farm property” is currently zoned RS-12, allowing low-density residential development. A section of the parcel is also zoned H-B Highway Business, allowing heavy commercial uses. The applicant proposes that the site be rezoned to a combination of RG-5 (General Residential) and R-MF (Multifamily Residential).

No Subdivision request currently

The applicant has not submitted a subdivision application nor given a date for beginning construction. Rezoning is a discretionary action granting entitlements that will allow the applicant to bring a by-right subdivision at a later date. Details of the development that are regulated by the subdivision and zoning ordinances, such as internal street profiles, sidewalks and other infrastructure, and precise lot layouts, are not addressed in the application materials. It is assumed that all infrastructure will be built in accordance with the City ordinances that are in effect at the time of construction. Aspects of the development that are not likely to be regulated by the City's subdivision and zoning ordinances should be discussed now.

The applicant has proffered a site plan showing the general layout that the subdivision would have to follow. While this site plan is not as detailed as a full site plan for construction purposes, proffering it means that it is more binding than a concept plan that's only meant to show one possible configuration. The applicant or any future owners will have to follow the general layout of the plan unless they apply for a new rezoning.

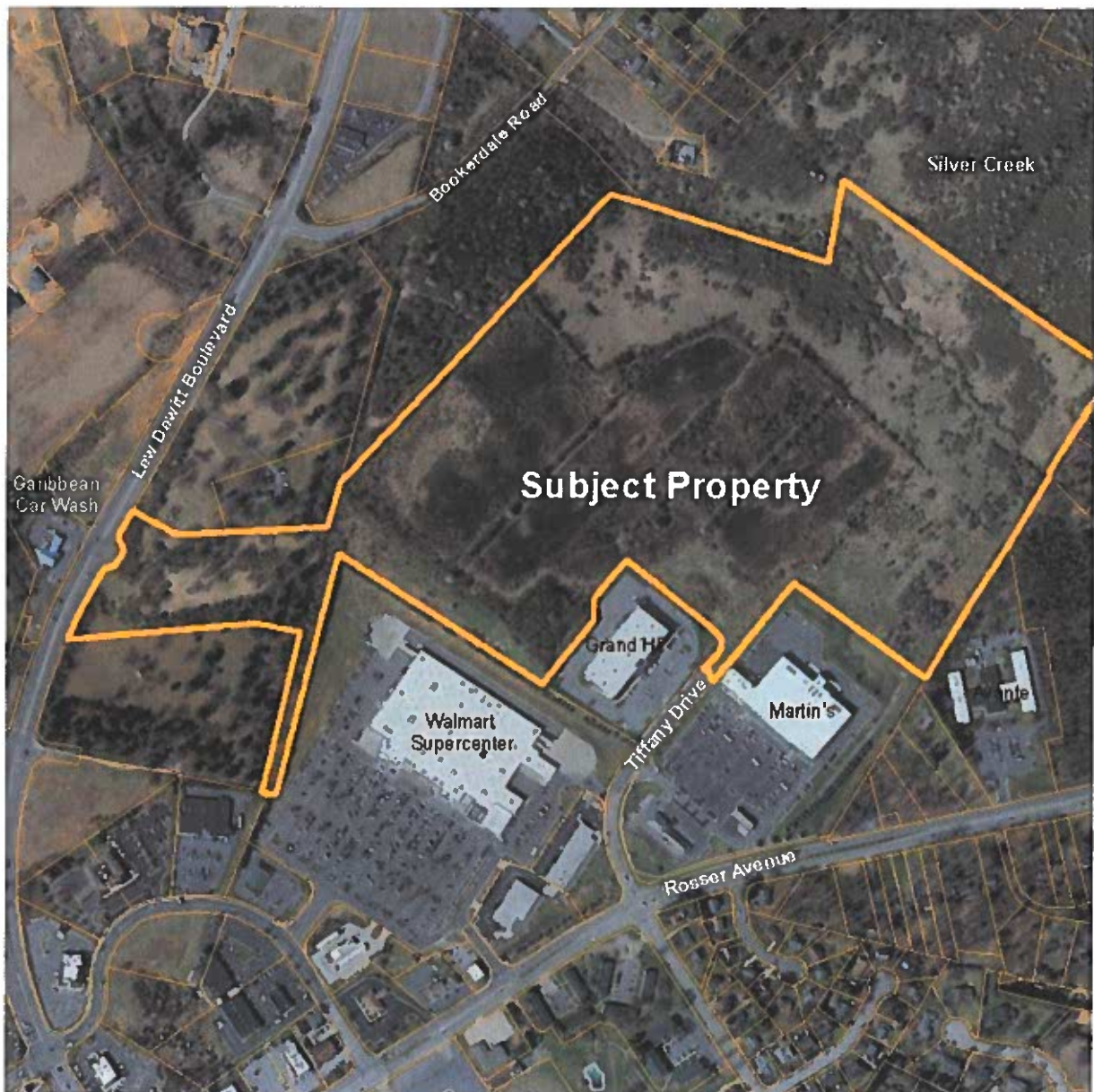
2. Background

The subject property is the largest remaining infill opportunity in the City. "Infill" refers to development of land surrounded by existing City neighborhoods and infrastructure. The Carflo Farm property is located inside the Lew Dewitt-Rosser-West Main triangle, adjacent to the City's largest commercial area, and close to Exit 94. As an infill site, it represents an opportunity to grow the City in a more efficient land use pattern without major geographic extension of urban services.

The City's primary requirement for supporting development of this property in the past has been construction of a road connecting Tiffany Drive to Lew Dewitt Boulevard. In addition to providing multiple routes for emergency services, this will allow direct access to the development from both major corridors and contribute to the web of alternative routes around the Lew Dewitt/Rosser intersection. The expense of constructing this road has made the project cost prohibitive in the past, but the current applicants have managed to acquire land from a neighboring property owner that will allow them to connect to an existing intersection and median break, reducing the overall cost of construction.

Surrounding Land Use (see vicinity map)

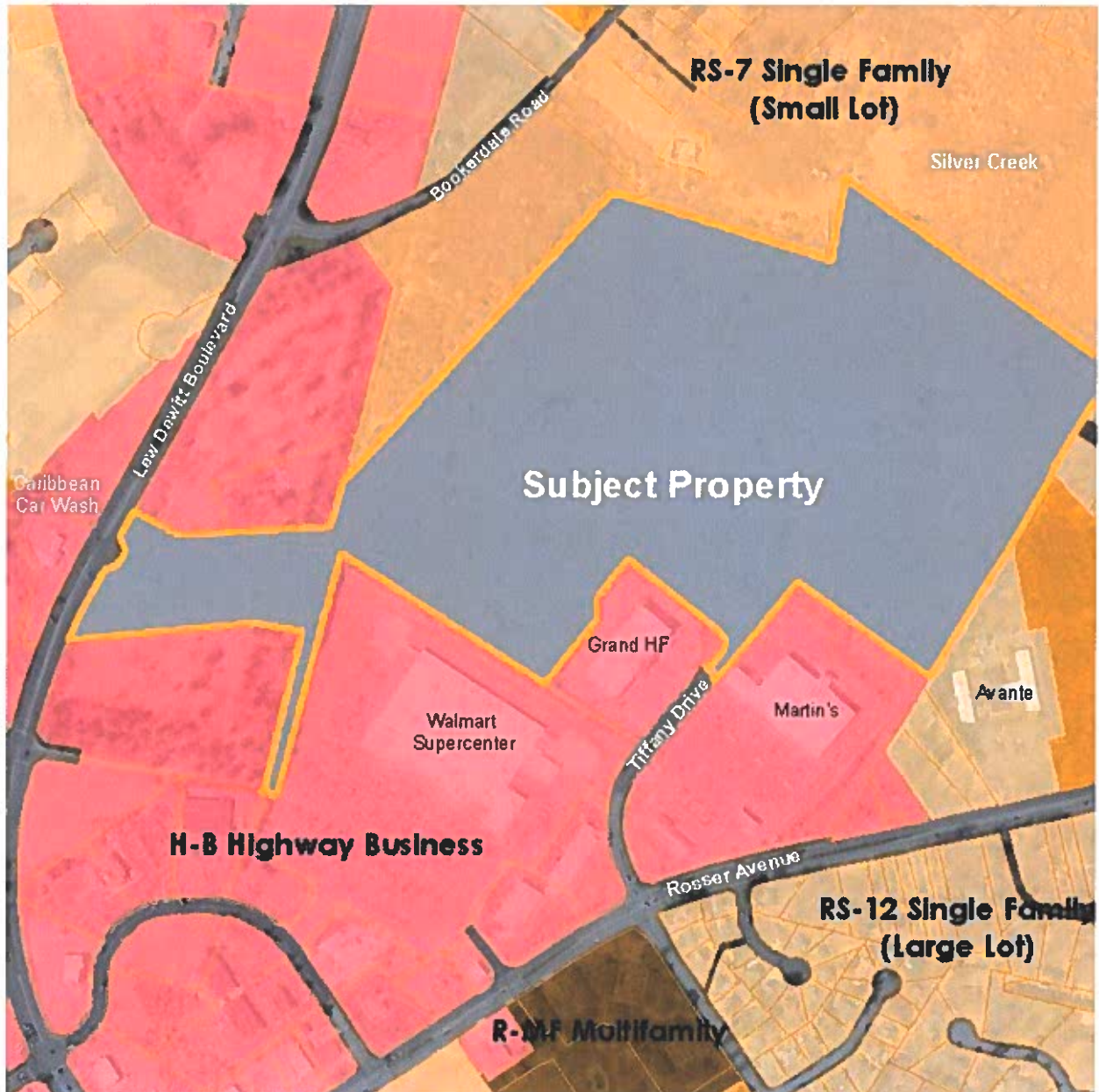
- *Northeast:* Pratt's Run creek, Silver Creek undeveloped section
- *Northwest and west:* Undeveloped property on Lew Dewitt Boulevard zoned H-B Highway Business
- *South:* Commercial development zoned H-B Highway Business, including Walmart Supercenter, Martin's, Grand Home Furnishing
- *Southeast:* Rosser Avenue, Accordius Health at Waynesboro (formerly Avante), undeveloped land on Rosser Avenue zoned RG-5 General Residential



3. Zoning Analysis

The subject property comprises approximately 70 acres of undeveloped property along Pratt's Run behind the Lucy Lane Walmart Supercenter. Approximately 45 acres are zoned RS-12 Single Family Residential and another 25 acres, clustered around Tiffany Drive and Low Dewart Boulevard, are zoned H-B Highway Business.

A portion of the property along Pratt's Run is located in the floodplain. The applicant intends to preserve a large area around the creek as permanent open space and deed it to the City for use in future park or trail construction.



Current entitlement

RS-12 allows development of single-family homes at a maximum density of 3.5 units per acre. Because of the creek, the applicant would likely need to use something like cluster zoning to achieve a maximum buildout under current zoning. Taking into account roads, residual property, and stormwater facilities, it's unlikely that the property could be subdivided into more than about 150 home lots.

The H-B Highway Business zone allows for a wide range of commercial uses, including large retail stores, restaurants, self-storage facilities, car dealerships, warehouses, and service stations. The site is large enough to accommodate a significant development with several hundred thousand square feet of retail and significant associated traffic. However, the bulk of H-B zoned land on Tiffany Drive has low visibility from major corridors. The declining commercial real estate market suggest it would be unlikely to develop at its fullest capacity in the foreseeable future.

Proposed entitlements

The applicant's proposal would move about 48 acres of the property, largely overlapping with the existing RS-12 zoning, to RG-5 General Residential. This would allow a wide range of medium density residential uses. RG-5 is the predominant zoning district in the city's core neighborhoods, including much of Basic City, Wayne Hills, Charleston Park, and Evershire.

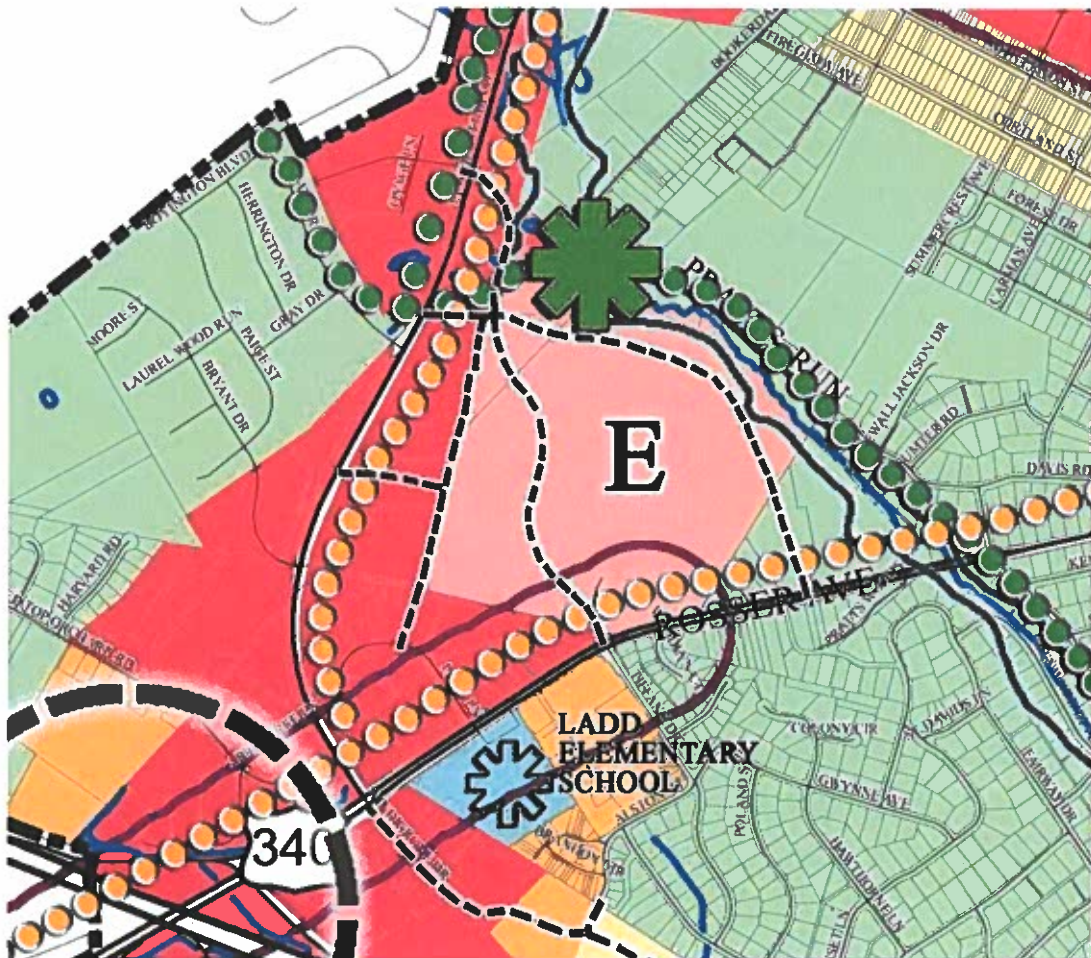
The applicant's proposed site plan would eventually subdivide this section of the property into lots designed for attached single-family homes. Attached single-family homes share a party wall with one other home. They are often called duplexes, but City code distinguishes between "duplexes," which are two-family structures on a single lot (a convenient arrangement for rentals) and "single-family attached" units, which sit on separate lots (allowing them to be offered for-sale). Attached single-family homes can be constructed at a maximum density of 10 units per acre in the RG-5 district, making the highest theoretical unit count approximately 480, though layout constraints would likely result in a lower density in practice.

The remaining 9 acres, largely overlapping with the current H-B zoning, would be rezoned to R-MF (Residential Multifamily). R-MF allows for construction of multifamily residences at a maximum density of 20 units/acre, meaning that the maximum possible number of apartments that could be developed on this property is 180.

There are no commercial uses proposed for the property. The applicant has offered to limit the total number of dwelling units to 600 across all sections. This proffer would carry forward with the land to any future owners or developers, regardless of whether changes in city code allowed for more intense development in the future.

4. Accordance with Comprehensive Plan

The City's 2008 Land Use Map designates the area as "Mixed Use E." An excerpt of the map is shown below. The black dotted lines represent road connections the City would hope to see made, including some connection from Tiffany Drive to Lew Dewitt Boulevard. The green asterisk is a generalized location where the City aspires to have a public park in the future. Along with several acres of right of way for potential road or trail development, this proposal would dedicate approximately 10 acres to the City along the creek for potential park development.



The City's goals for this area are spelled out in the attached Land Use Guide:

Area E: Allow for the following mix of uses in the area shown on the Proposed Land Use Plan as Mixed-Use E: uses that include commercial, retail, various residential housing types, parks and open space. An extension of Tiffany Drive to connect to Rosser Avenue and Lew Dewitt Boulevard is essential to the development of this area.

Through rezoning and the development review process, encourage developer(s) to integrate two or more uses in this location to provide a transition between the commercial centers and the residential neighborhoods, meet a variety of area needs (i.e., higher density housing choices) and minimize vehicle trips between uses.

Note: In addition to this area being viewed as an area for transitional uses (i.e., limited commercial uses and a mix of higher density residential products), it is also described in

the plan as an area through which a connecting road should be constructed to alleviate traffic issues on the nearby major roads and intersections. Therefore, the uses should get access from this new collector and be suitable for locating next to this collector road that will carry through-traffic.

Staff believe that the development proposal worked out with the current applicant satisfies these goals as thoroughly as possible in the current economic climate. While the applicant's proposal does not contain any new commercial uses, the area already has significant commercial development. The current proposal provides the other uses necessary to make it a mixed-use district, incorporating higher density housing as a transitional use between the heavy commercial uses on Rosser Avenue (Walmart, Martin's) and the single-family neighborhoods across Pratt's Run. This will help to add integrate the neighboring commercial uses and make them less reliant on longer-distance travelers. The development provides a connecting road between Tiffany Drive and Lew Dewitt Boulevard to relieve congestion and contribute to the City's road network, in accordance with the goals identified in the plan. The development also includes a small neighborhood pocket park and dedicates significant open space to the City for other future park and trail development.

5. Infrastructure, City Services, and Traffic

All underground utilities and stormwater infrastructure will be approved with the preliminary plat once a subdivision application is submitted. The City has adequate water and sewer capacity overall to allow for additional residential development in this area. The school system has also seen decreasing enrollment in recent years and has sufficient capacity to allow for new residential growth.

The most significant infrastructure issue in this area is traffic. The nearby Rosser Avenue and Lew Dewitt Boulevard handles some of the highest volumes of traffic of any intersection in the City. Because of the scale of this proposal, the applicant was required to complete a Traffic Impact Analysis. After several rounds of study and revision by the applicant's engineers, City staff and support staff from the Virginia Department of Transportation have approved the applicant's traffic study. Highlights from the study's conclusions are provided below:

1. At full buildout, the applicant's proposed development will increase the peak-hour queue length at Tiffany Drive from 160' to 250'. The existing 160' queue length already exceeds the existing storage of 150'. Applicant proposes to reconfigure turn lanes on Tiffany Drive to create sufficient storage for the projected queue length. This increase should also be mitigated by the City's Rosser Avenue Corridor Study improvements, which are currently being submitted through Smart Scale.
2. Applicant proposes to reduce construction costs and disruption by using an existing median break and left-turn lane at the Caribbean Car Wash on Lew Dewitt Boulevard. This turn lane was designed when Lew Dewitt was originally constructed to provide for future development of adjacent property.
3. Applicant will construct sufficient turn lanes and lane markings, and acquire landscape easements to ensure adequate sight distance for the intersection of Lew Dewitt Boulevard and the road serving the new development.
4. The traffic projected for this intersection is significant, but not sufficient to warrant a new signal on Lew Dewitt Boulevard. The proposed intersection is also located too close to the existing signal at Bryant Drive to meet VDOT signal distance requirements. There is

a risk that future development in the area or an increase in background traffic could cause the intersection to require further upgrades in the future. City staff have asked to clarify in all documents related to the rezoning that the City reserves the right to restrict left turns out of the development and onto Lew Dewitt Boulevard if the intersection becomes a safety hazard. Applicant has agreed to construct an interparcel connection to the neighboring commercial property (currently zoned H-B). If that parcel develops, this will create more interconnections to help avoid the need for new median breaks and traffic signals.

After the Planning Commission meeting and pursuant to comments received by the Planning Commission, the applicant has adjusted the site plan to also dedicate right of way for a potential extension of Tiffany Drive. While this would likely be an expensive road to construct, it provides an additional option to the owners of the unfinished Silver Creek development to create a second connection for their development and allow residents of the Forest/Vedette neighborhood to access Martin's and Walmart without traveling on any of the major corridors.

6. Recommendation

The location of this property strongly suggests medium to high density housing as a logical use. The lack of frontage on a major road will likely prohibit it from attracting high-value commercial uses. However, being adjacent to a high-intensity commercial area makes it less valuable for detached single-family home development. Instead, its proximity to the City center and existing city infrastructure makes it appropriate for medium to high density residential development. Bringing more households to this area will create a better mix of uses to keep adjacent commercial areas viable and will be a logical transition to the single-family neighborhoods to the north. And the dedication of open space along Pratt's Run will provide a localized buffer to transition from medium density to lower density residential.

Additionally, this proposal will result in construction of an additional connecting route from Tiffany Drive to Lew Dewitt Boulevard, filling in a long-identified gap in the City's road network that can help to relieve congestion on neighboring roadways. The developer has done sufficient work to study the traffic impacts of the proposal and to adequately provide for these impacts.

Because this proposal lines up directly with the uses envisioned for this property in the City's Comprehensive Plan, staff recommends approval.

GENERAL NOTES:

OWNER: ROSER AVENUE DEVELOPMENT
3430 ROSER AVENUE, SUITE 100
CHARLOTTE, NC 28202

ENGINEER: COLLINS ENGINEERING, INC.
2500 BURNING TREE DRIVE, SUITE 300
CHARLOTTE, NC 28224
CONTACT: 704.433.1122
FAX: 704.433.1120

DEVELOPER: RIVERVIEW DEVELOPMENT
453 SECOND STREET, SUITE 400
CHARLOTTE, NC 28202

CURRENT ZONING: RS-1J

ACREAGE: TOTAL ACREAGE OF PARCEL IS 94.94 ± ACRES

PROPOSED REZONING:

- REZONING OF THE PROPERTY TO RG-S AND R-MF ZONING
- PROPOSED SETBACKS AND DIMENSIONAL STANDARDS
- SETBACKS PER ZONING ORDINANCE CHAPTER 154, ARTICLE 5.5.A.C

UTILITIES: EXISTING FACILITY IS CURRENTLY SERVED BY PUBLIC WATER AND PUBLIC SEWER

SURVEY: SURVEY AND BOUNDARY PROVIDED BY VFW ASSOCIATES

ACCESS: THE SITE CURRENTLY HAS AN EXISTING ACCESS IMPACT FROM NEW DRIVE CITY AND URBAN DRIVE

OPEN SPACE: A MINIMUM OF 10% OPEN SPACE SHALL BE PROVIDED WITHIN THE DEVELOPMENT. THE OPEN SPACE SHALL CONSIST OF THE FOLLOWING:
 1. RECREATIONAL POCKET PARK 4.25 ACRES WITHIN OPEN SPACE AREA = 10.1 ACRES MINIMUM

PARKING: PARKING SHALL BE PROVIDED WITHIN THE DEVELOPMENT, IN ACCORDANCE WITH THE ZONING ORDINANCE.

NOTE: THE EXACT LOCATION OF PROPERTY, SETBACKS AND TRAILWAYS SHALL BE DETERMINED WITH THE SETBACK PROCESS. THE APPLICATION PLAN ILLUSTRATES THE SUBMITTANT'S PROPOSAL FOR THE DEVELOPMENT.

LEGEND:

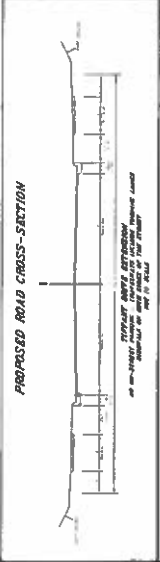
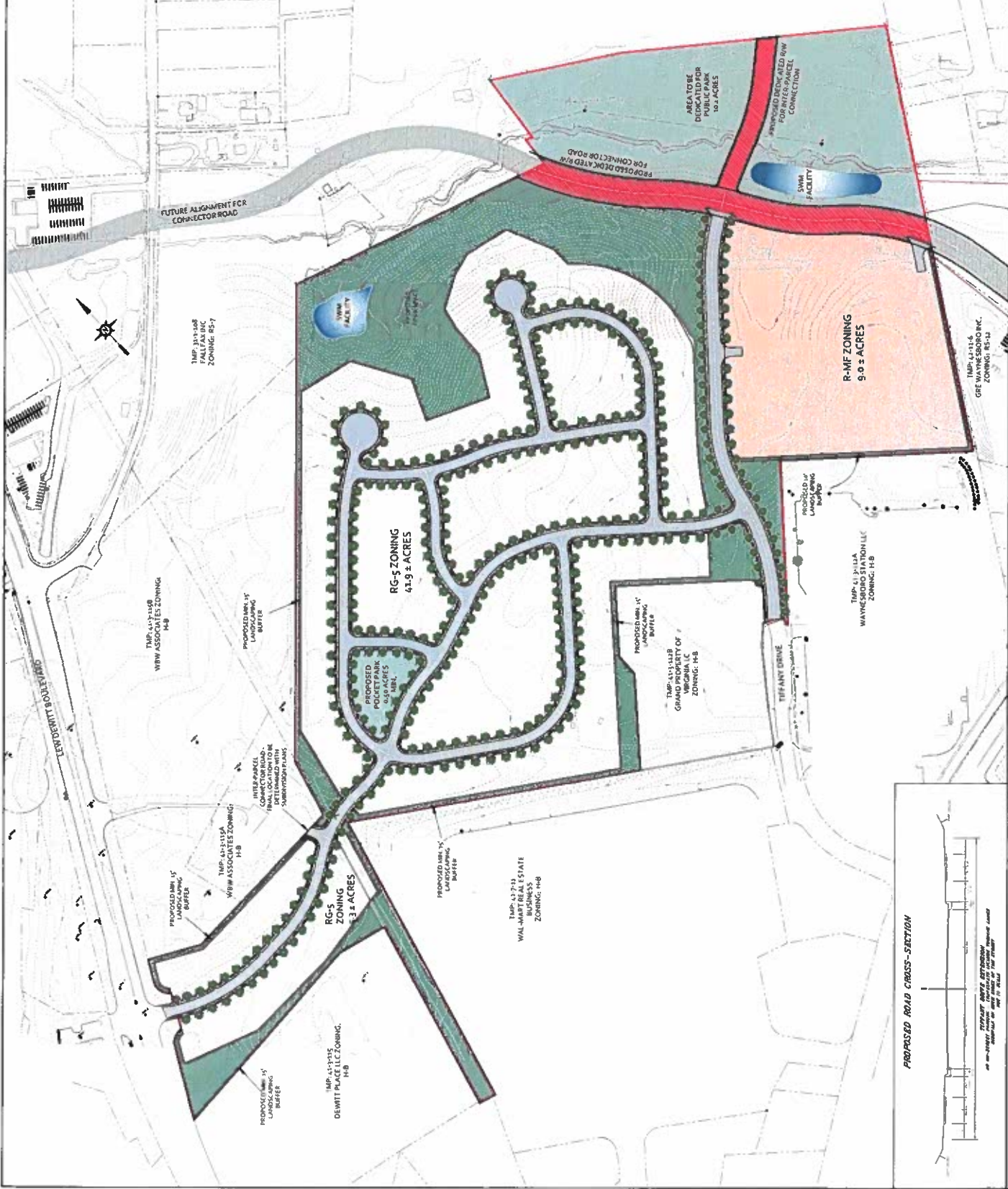
- PROPOSED RG-S ZONING
- PROPOSED R-MF ZONING
- DEDICATED PARK AND POCKET PARK
- OPEN SPACE
- RIGHT OF WAY VEDICATION
- LIMITS OF PROPERTY REZONING
- EXISTING 100 YR FLOODPLAIN
- STREAMS

SCALES:

- 1" = 100' (SITE PLAN)
- 1" = 200' (ROAD CROSS-SECTION)

GRAPHIC SCALE:

1" = 100' A



ORDINANCE NUMBER 2020-



AN ORDINANCE REZONING, A 69.46 ACRE PROPERTY AT 0 TIFFANY DRIVE, TAX MAP #41-3-112, FROM RS-12 SINGLE FAMILY RESIDENTIAL AND H-B HIGHWAY BUSINESS TO RG-5 GENERAL RESIDENTIAL AND R-MF MULTIFAMILY RESIDENTIAL

WHEREAS, an application has been submitted by Riverbend Development on behalf of Rosser Avenue Development LLC to rezone 69.46 acres located at 0 Tiffany Drive, City Tax Map number 41-3-112, (the "Property") from RS-12 Single Family Residential and H-B Highway Business to RG-5 General Residential and R-MF Multifamily Residential;

WHEREAS, public hearings were held by the Waynesboro Planning Commission and City Council, after advertising and notice as required by Section 98-7.4 of the Code of this City and Sections 15.2-2204 and 15.2-2205 of the Code of Virginia; and

WHEREAS, it appears that the proposed rezoning of the Property is consistent with good zoning practice, is justified by the public necessity, convenience, and general welfare, and is in accord with the comprehensive plan of the City;

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Waynesboro, Virginia, that:

1. The application of Riverbend Development on behalf of Rosser Avenue Development LLC to rezone the Property is hereby approved in accordance with the application (#20-002) and the attached staff report dated August 10, 2020, along with the applicant's voluntary signed proffer letter dated ____ and the attached site plan;
2. The Property is hereby rezoned from RS-12 Single Family Residential and H-B Highway Business to RG-5 General Residential and R-MF Multifamily Residential, subject to and with the voluntary proffers from the applicant, which are hereby accepted and made a part of the zoning of the Property;
3. The City Manager, or his designee, is hereby authorized to take all actions reasonably necessary, including executing such documents as are reasonably necessary, to effectuate and carry out the purposes of this Ordinance.
4. This Ordinance shall take effect immediately upon adoption by the City Council.

Introduced: _____, 2020
 Adopted: _____, 2020
 Effective: _____, 2020

ATTEST: _____
 Clerk, City Council
 City of Waynesboro, Virginia

 Mayor, City Council
 City of Waynesboro, Virginia