



Town of Haymarket  
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**Emily K. Lockhart**  
TOWN PLANNER  
ZONING ADMINISTRATOR

## MEMORANDUM

TO: Planning Commission  
FROM: Emily K. Lockhart, Town Planner  
DATE: August 5, 2019  
SUBJECT: Special Use Permit Request – Van Metre, 38 Residential Townhomes

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### **APPLICATION SUMMARY:**

Applicant, Van Metre Communities, LLC, has requested a Special Use Permit for the Smith Property – 6701 Hunting Path Road, 14860 Washington Street, and 14850 Washington Street - to construct 38 residential townhomes in the B-1 zoning district. The proposed townhomes would occupy the north half of the property and abut the Longstreet Commons neighborhood (see attached Special Use Permit Plan). The south portion of the property abutting Washington Street, would be occupied by a B-1 commercial use.

### **Land Summary:**

- Site Address: 6701 Hunting Path Road, 14860 Washington Street, and 14850 Washington Street.
- Acreage: 4.8 acres (designated to SUP use, additional acreage designated to commercial use)
- Current Land Status: Undeveloped
- Zoning District: B-1, Town Center
- Historic Resources on Site: based on the Cultural Resources Study three artifacts were found dating back to the prehistoric time period, late 18<sup>th</sup>/19<sup>th</sup> century and 19<sup>th</sup>/20<sup>th</sup> century. Based on these artifacts and the opinion of the Thunderbird Archeology – *“the site lacks research potential and is not eligible for listing in the National Register of Historic Places under Criterion D, no further work is recommended in association with the site.”*(Thunderbird Archeology, page i).

The Zoning Ordinance requires the following standards are considered and met prior to approval.

- (1) *The proposed use at the stipulated location shall be in accordance with the official policies of an adopted comprehensive plan, and with any specific element of such plan.*
- (2) *The proposed use shall be in accordance with the general purpose and intent of the applicable zoning district requirements.*
- (3) *The proposed use shall not adversely affect the use or values of surrounding properties and structures.*
- (4) *The proposed use shall not adversely affect the health, safety or general welfare of persons residing or working in the neighborhood.*
- (5) *Pedestrian and vehicular traffic generated by the proposed use shall not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.*
- (6) *Utility, drainage, parking, loading and other necessary facilities provided to serve the proposed use shall be adequate.*

Staff Analysis of these standards can be found below;

**Special Use Permit Standards (Sec 58-1.7, (d)):**

1. *The proposed use at the stipulated location shall be in accordance with the official policies of an adopted comprehensive plan, and with any specific element of such plan.*

***Commercial/Residential Blend East of Town’s Center***

*Traveling east from the central portion of town, Haymarket unfolds in a pleasant mix of older, residential homes and low intensity commercial uses such as a veterinary clinic and a Baptist Church. This blend of uses continues to the eastern town limit, where a neo-colonial residential development is across the street from public uses in two Sears houses fronted by a planned village green. The two Sears structures fit this area architecturally and historically and should be preserved, if at all possible. Almost all the land north and south of Washington Street is developed. **Much of the available land on the north side of Washington Street seems well suited to low intensity commercial uses, with adequate buffering to separate it from residential neighborhoods.** Whenever possible, existing residential buildings should be converted to commercial use, rather than have new buildings constructed, to continue the open, small town atmosphere and sense of place. As per the ARB guidelines, any new development must follow architectural styles represented by the surviving historic buildings in Haymarket. In general, developments within the last seven years have been styled as neocolonial. As other residential developments are planned, the ARB will encourage developers to move away from “cookie cutter” designs and explore styles that reflect*

*a post-Civil War era. This would include Victorian styles. Modern or industrial designs do not fit into the overall feel of the town and would not be appropriate.*

The Town Comprehensive Plan adopted in 2008, designates the properties as Planned Transitional Commercial. Our current Zoning Ordinance allows for townhouses as a by-right use in the transitional commercial district, thus creating a direct conflict with the intent of the Comp Plan for low-intensity commercial uses on this property with adequate buffering. Furthermore, the properties are currently zoned B-1, Town Center District, and the addition of townhouses in the B-1 would be in direct conflict with the Comprehensive Plan's intent.

While the Comprehensive Plan and Zoning Ordinance have conflicting definitions and designations of transitional commercial and the intent for the property, the proposed project would actively work to achieve blending of residential to commercial along Washington Street and secondary streets.

- 2. The proposed use shall be in accordance with the general purpose and intent of the applicable zoning district requirements.*

***Sec. 58-10.1. - Intent.***

*The Town Center District, B-1, provides primarily for retail shopping and personal services to be developed either as a unit or in individual parcels oriented to attracting pedestrian shoppers, tourism and local convenience. Recognizing the economic value of the existing historical area, it shall further be the intent of the district to encourage the retention and rehabilitation of structures and uses in the district that have historic and/or architectural significance. The range, size, hours of operation, lighting, signs and other developmental aspects of permitted uses may be limited in order to enhance the general character and historic nature of the district.*

While the Zoning Ordinance allows applicants and landowners to request a special use permit for townhouses and multi-family dwellings, the proposed 38 townhouses do not conform with the general intent of the B-1 Zoning District purpose as stated above. The townhouses would allow an opportunity to blend the residential and commercial zoning in an area that was planned as transitional commercial in the 2008 Comprehensive Plan. The proposed townhouse neighborhood would not provide commercial uses that would attract pedestrian users, rather it would create an additional pedestrian base.

As proposed on the GDP all other zoning district requirements have been met to include; height, setbacks, parking, landscaping and other requirements as set forth in the Ordinance. As noted on the GDP, upon further research and

engineering these proposed improvements are subject to change, however will be in keeping with the requirements.

- 3. The proposed use shall not adversely affect the use or values of surrounding properties and structures.*

Currently, there are no known adverse effects on the use or values of the surrounding properties and structures. Further economic analysis and research will need to be completed to determine the effects on use and value.

Surrounding Properties abutting the Special Use Request include; Longstreet Commons, Haymarket Baptist Church, VCA Healthy Paws, and Dr. Kayes Dental Office.

The proposed townhouse neighborhood would provide a buffer for the Longstreet Commons neighborhood and any new commercial construction on the remainder of the Smith Property. This “buffer” could be viewed as a benefit to the existing homes that abut the Smith Property.

- 4. The proposed use shall not adversely affect the health, safety or general welfare of persons residing or working in the neighborhood.*

The proposed townhouse project is not anticipated to adversely affect the health, safety, or general welfare of those residing and working in the neighborhood. The proposed townhouses are new construction and shall conform to current building code regulations and all site development will be analyzed and held to current standards.

- 5. Pedestrian and vehicular traffic generated by the proposed use shall not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.*

The proposed use will create additional vehicular trips per day throughout Town, specifically, Hunting Path Road, as this is the single entry/exit into the proposed neighborhood. The proposed trip generation as stated in the Pennoni Traffic Impact Statement dated, June 21, 2019 for the multifamily housing at 38 dwelling units is projected to be 304 trips (Table 3: Trip Generation, page 6, Pennoni). The am peak hour trip generation is expected to be 23 trips while the pm peak hour is expected to be 26 trips (Pennoni, page 13). While the by-right uses are projected at 782 trips for general office use at 73,000 sq. ft facility and 2,606 trips for a 30,000

sq. ft shopping center and restaurant (Table 3: Trip Generation, page 6). For the complete traffic impact statement data please review the Pennoni Report attached.

While the trip counts for the proposed residential neighborhood show a significant decrease from the potential by-right use trip counts, the potential increased cut-through traffic volume within Longstreet Commons will conflict with the existing traffic flow and patterns in Town. Currently, the Longstreet Commons neighborhood experiences a higher volume of cut-through traffic than any other neighborhood as it is a convenient path for those avoiding the intersection of Washington Street and Jefferson Street. This issue shall be discussed further with the Planning Commission and applicant. If the project moves forward, the Planning Commission shall request traffic mitigation or abatement options so that the Longstreet Commons neighborhood is not negatively impacted by the proposed project.

6. *Utility, drainage, parking, loading and other necessary facilities provided to serve the proposed use shall be adequate.*

As shown on the generalized development plan the applicant has accounted for adequate utilities, drainage, parking, loading and other necessary improvements on the site. Specifically, the applicant has proposed a stormwater retention dry pond at the east property line abutting the rear of several townhouses, the Haymarket Baptist Church property, the proposed daycare facility on site and the VCA Clinic. The applicant has provided adequate parking for the proposed residents by means of driveway parking, street parking and visitor parking on site.

#### STAFF RECOMMENDATION:

It is Staff's recommendation to the Planning Commission to hear all public comment at the August 19<sup>th</sup> public hearing and provide the applicant with questions and concerns to address prior to the September Planning Commission Meeting.

As proposed the townhouse project provides an opportunity to blend the residential and commercial zoning districts, specifically the existing Longstreet Commons neighborhood with the abutting commercial zoned property (Smith Property). Alternative commercial by-right uses on this property have the potential to create noise disturbances, significantly greater traffic volumes, and other adverse effects for the residents of Longstreet Commons and those adjoining property owners

Staff's Concerns include; traffic flow along Hunting Path Road, increase cut-through traffic in the Longstreet Commons neighborhood, long wait periods at the Hunting Path Road/Washington Street intersection, increased street parking on Hunting Path Road and lack of amenities for the new residents.