



Emily K. Lockhart
Town Planner and Zoning Administrator

MEMORANDUM

TO: Planning Commission and Town Council

FROM: Emily K. Lockhart

DATE: May 20, 2019

SUBJECT: SUP#2019-003 – 14901 Washington Street, Wonderful Haymarket LLC –
Special Use Permit for a Dental Office to be located within the B-1 Zoning District

Application Summary:

Applicant, Wonderful Haymarket, LLC – Dr. Jeffrey Moon, has submitted the attached Special Use Permit application to relocate his Haymarket Dental Office to 14901 Washington Street, Haymarket in the B-1 Zoning District. The applicant's intent is to relocate their current office from the Shoppes of Leaberry shopping center to the previous BB&T bank building in order to expand their office size and have ownership of their property. If the applicant receives approval of the Special Use Permit they will proceed to submit a site plan to enclose the drive thru and construct a small expansion of the side/rear of the structure.

The applicant has provided a Development Narrative to support the request to locate their medical office within the B-1 Zoning District.

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.*

In addition, Article XIX, Use & Design Standards (Sec 58 -19.2.)

h) Additional standards for the B1 district.

(1) Any new buildings shall be street-oriented with pedestrian entrances from the street, and compatible with the surrounding development.

(2) Maximum lot coverage: Forty-five percent including building and all paved areas.

(p) Office, medical.

(1) The following general standards shall apply to all medical offices.

a. Entrances to the site shall be minimized and located in such a way as to maximize safety, maintain efficient traffic circulation, and minimize the impact on any surrounding residential neighborhood.

b. Loading areas shall be sited in such a way so as to minimize the impact on any surrounding neighborhood.

(2) Additional standards in B-2 district.

a. The hours of operation may be restricted through the special use permit process.

Comprehensive Plan Excerpts

Historical Walking Central Portion of Town

This portion of Haymarket houses the old Town Hall, now the Haymarket museum, and the historic old post office. Development here should be carefully considered and should reflect the architecture that lines Washington Street and defines historic Haymarket. Architectural styles and building sizes should include Colonial, Federalist, and Folk Victorian with Greek revival and Italianate architectural details. Visual interest should be encouraged through the use of height variations ranging from one to three stories. Retail and professional buildings should be arranged in a “walk-around” manner, with parking off-site. In essence, development in this area should create a town center with a historical feel in which residents and visitors can walk, shop, eat, conduct business and relax. Restoration of the old post office will be required as part of any development plan. Consideration must be made to the utility of maintaining town hall in this portion of town or moving it to another location. From this point in town, all other structures should begin to look “newer”.

Town Planner Analysis of Impacts

(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.

Response: The Comprehensive Plan provides the following statement for the purpose and the intent of the Neighborhood Town Center as proposed in the 2008 Comprehensive Plan:

Neighborhood/Town Center – Development of a center within the Town is proposed to provide a convenient focus for community activities and services such as neighborhood stores, offices and restaurants. A cluster of dwellings, stores, and local institutions has

grown at the intersection of Washington Street and Jefferson Street as a result of convenient location, traffic flow, and nearby residential development. In addition, some portions of Washington Street west from the intersection of Washington Street and Hunting Path are proposed as Neighborhood/Town Center commercial areas with a visual connection of brick sidewalks and period street furniture.

Features of community development needed to strengthen Haymarket's Town Center include:

- 1. Provisions for expansion of retail stores and offices serving Town residents in a manner consistent with an appropriate village character for the Center;*
- 2. Provision of additional off-street parking and loading facilities to serve commercial development, including a public parking lot to limit parking needs at individual sites;*
- 3. Preservation of architecturally significant structures including older residential and commercial structures as well as the Old Town Hall and Old Post Office buildings;*
- 4. Beautification activities including additional landscaping, new street furniture (lights, benches, trashcans) and brick sidewalks;*
- 5. The elimination of distracting signs;*
- 6. Repair and improve maintenance of sidewalks serving the residents adjacent to the Town Center;*
- 7. The construction of new structures that are carefully integrated with older, existing buildings and do not overpower the existing Streetscape or pose a threat to the center's character.*

With the above intent in mind, it is the Town Planner's understanding that the proposed medical dental office will provide an expansion of office based services for the Town residents and community, offer off-street parking to service the dental office, maintain the existing infrastructure while expanding the structure to maximize utility and provide a walkable option for personal health care for current and future residents.

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

Response: The Zoning Ordinance provides the following statement for the purpose and the intent of the Town Center Business District;

ARTICLE X. - TOWN CENTER DISTRICT B-1

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.

It is the Town Planner's understanding that the proposed dental office will be in accordance with the general purpose and intent of the B-1 zoning district by providing an additional personal health service to the Town residents which will also act as a local convenience for personal services and provide a walkable option for local medical care. The retention of the structure will allow the neighborhood to maintain its current character while providing ample space for a local business to expand.

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

The proposed use fronts Washington Street and Madison Street with commercial businesses surrounding it on all sides, except for one residential structure located diagonally across the street on Madison. Madison Street is the beginning of a residential neighborhood that continues to the end of the street and along Madison Court. The proposed dental office hours would be Monday through Saturday 8:00 am to 5:00 pm. The patients would be staggered throughout the day. Thus, there is no indication the proposed dental office would decrease the value or use of surrounding properties. For the most accurate information an additional study on the economic value would need to be performed.

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

There is no indication of any adverse effects on the health, safety, or general welfare of the persons residing or working in the neighborhood based on the SUP Package submitted for the proposed dental office.

(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 dental office will provide off-street parking for the office use. The current on-site parking meets the requirements set forth by the Zoning Ordinance for the office use. The existing entrances and exits will remain intact and used as means of ingress and egress. With staggered patient appointments and minimal staff parking the traffic flow, parking spaces and points of ingress/egress should be sufficient for the proposed dental office.

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

Utilities, drainage, loading zones and other necessary facilities will be addressed at the site plan phase. However, it is the Town Planner's understanding that the proposed dental office will be connecting to Service Authority's water service lines along Washington Street. Other existing utilities have been deemed adequate by the applicant. Additional information regarding the drainage, stormwater, and other utilities will be further addressed during the site plan phase.

Planner Recommendation:

The proposed medical (dental) office located at 14901 Washington Street is in accordance with the adopted Comprehensive Plan and the Zoning Ordinance Policies. It is the goal and intent of the B-1 Zoning District to provide retail shopping and personal services as a means of local convenience to the residents and surrounding community. The proposed dental office will provide a local personal health option for our residents and community that is close to home and even within walking distance for residents. In addition, the dental office is one that currently operates a few blocks down Washington Street in the Leaberry complex, the owner is looking to invest in the Town as a landowner and expand the practice to better serve his patients and the community. As the Town Planner I recommend the Planning Commission and Town Council consider approving the Special Use Permit for Wonderful Haymarket, LLC – Dr. Jeffrey Moon, as he would provide a personal health service for our local community, retain an existing structure/landscape that has been a part of our Town for the past thirty two years and meets the requirements of the Special Use Permit **without** providing adverse effects for surrounding properties.

Lastly, the Town’s zoning ordinance currently allows medical offices **BY-RIGHT** in the transitional commercial district and the business commercial (B-2) district. Previously the ordinance permitted medical offices in the Town Center District (B-1) by-right. Again, after reviewing Sec. 58-1.7 – Special Uses (d) of the zoning ordinance, the application and the applicant’s accompanying narrative the proposed use will not adversely affect the surrounding business, the character of the Town, pedestrian or vehicular traffic, or necessary facilities/utilities on site. As the Town Planner, I am in support of this special use permit and recommend approval.

Planning Commission Sample Motion: *“I move the Planning Commission recommend approval to the Town Council for SUP#2019-003 for Wonderful Haymarket, LLC to open and operate a dental office in the B-1 Zoning District at 14901 Washington Street.”*

Or Alternate Motion

Town Council Sample Motion: *“I move the Town Council approve SUP#2019-003 for Wonderful Haymarket, LLC to open and operate a dental office in the B-1 Zoning District at 14901 Washington Street.”*

Or Alternate Motion