

SPECIAL USE PERMIT-20-0002. 3374 Ironbound Road Tourist Home

Staff Report for the June 9, 2020, Board of Supervisors Public Hearing

SUMMARY FACTS

Applicant: Ms. Jeanette Brady

Land Owner(s): Jeanette Brady Irrevocable Trust

Proposal: To allow for the short-term rental of an entire four-bedroom home as a tourist home. The owner will live off-site.

Location: 3374 Ironbound Road

Tax Map/Parcel No.: 4710100025

Project Acreage: ± 1.05 acres

Zoning: R-8, Rural Residential

Comprehensive Plan: Mixed Use Five Forks

Primary Service Area: Inside

Staff Contact: Thomas Wysong, Senior Planner

PUBLIC HEARING DATES

Planning Commission: March 4, 2020, 6:00 p.m.

Board of Supervisors: June 9, 2020, 5:00 p.m.

FACTORS FAVORABLE

1. With the proposed conditions, staff finds the proposal to be compatible with the surrounding zoning and development.

2. With the proposed conditions, the proposal is generally consistent with the recommendations of the Comprehensive Plan.
3. The applicant has acknowledged that, should this application be approved, she will obtain the proper licensing and inspections through the County and will be subject to appropriate use-based taxes.
4. Impacts: See Impact Analysis on Page 4.

FACTORS UNFAVORABLE

1. The proposal does not fully fulfill the intent of the Mixed Use Designation, but is of such limited scale that it would not hinder the future development of the Five Forks area in accordance with the Comprehensive Plan.
2. Impacts: See Impact Analysis on Page 4.

SUMMARY STAFF RECOMMENDATION

Approval, with the proposed conditions (See Attachment No. 1).

PLANNING COMMISSION RECOMMENDATION

At its March 4, 2020 regular meeting, the Planning Commission voted 5-2 to recommend approval of this application to the Board of Supervisors.

PROPOSED CHANGES MADE SINCE THE LAST PLANNING COMMISSION MEETING

None.

PROJECT DESCRIPTION

- This proposal is to allow for the short-term rental of an entire four-bedroom home as a tourist home. The property is not the owner's primary residence; a caretaker will not be present during the time of the rentals.
- The property currently consists of a single-family home with a detached garage and a detached storage building. The owner is proposing to rent the entire house on a short-term basis. This Special Use Permit (SUP), if granted, would allow for short-term rentals throughout the year. No changes to the size or the footprint of the home are proposed.
- The Zoning Ordinance defines a tourist home as "a dwelling where lodging or lodging and meals are provided for compensation for up to five rooms which are open to transients." The proposed conditions limit the number of bedrooms available for rent to four, as there are four bedrooms in the existing home. Should a future expansion add another bedroom, an SUP amendment would be required.

SURROUNDING ZONING AND DEVELOPMENT

The subject property is located to the north and west of the Airtight Self-Storage Facility (zoned B-1), east of the Powhatan Crossing Subdivision (zoned R-1), and south of the Baron Woods subdivision (zoned R-2). Direct access is provided via a driveway on to Ironbound Road, which is classified by the Virginia Department of Transportation as a Minor Collector.

COMPREHENSIVE PLAN

The property is designated Mixed Use Five Forks on the 2035 Comprehensive Plan Land Use Map, as are the properties located to the south and east. Properties to the north and west are designated for

Low Density Residential. The Mixed Use Land Use Designation provides the following development standards for all proposed mixed use developments within areas designated for this use:

- All developments should refer to the Residential and Commercial/Industrial Development Standards along with the Mixed Use Development Standards.

Staff finds this proposal to be generally consistent with the applicable standards found in both of these categories.

- Mixed Use developments are intended to be urban environments characterized by a variety of land uses that are higher density, pedestrian scaled, and complementary to one another in order to create a destination for people to live, work, play, and shop. Such developments typically require nearby police and fire protection, public utilities, and other public services and as such, are to be developed in an appropriately scaled time so as not to overburden existing infrastructure. Place making is to be emphasized within these developments, with open spaces, community facilities, and unified architectural design being essential qualities.

Staff finds this proposal is not part of a master planned, mixed-use development and is of limited scale, with no land disturbance or changes to the exterior of the house being proposed. As such, staff finds this proposal neither fulfills nor contradicts these standards.

The Mixed Use Five Forks area designation provides the following guidance for uses within this area:

- Development at the intersection of John Tyler Highway (Route 5) and Ironbound Road primarily serves nearby residential development. Limited commercial development of this nature may continue so long as the resulting land use mix of the area is limited primarily to community-scale and neighborhood

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commercial and office uses. Moderate density residential development is encouraged as a secondary use. New development should tie into the larger Five Forks area with complementary building types and connections to surrounding commercial and residential development.

Although a tourist home is not typically considered a traditional neighborhood commercial use, staff finds this proposal to be a limited commercial use that is appropriately scaled for the Five Forks community. Future expansion of this house for a tourist home use would require an SUP amendment.

- Preservation and adaptive re-use of historic buildings are encouraged, as is the redevelopment of existing residential and commercial uses in the immediate area. Future development and redevelopment should also reflect the historic and scenic qualities of the Five Forks area and should adhere to the Board adopted Primary Principles for the Five Forks Area. Overall development intensities should be closely monitored to ensure they can be accommodated within the capacities of the existing two-lane roads, both of which are projected to be above capacity by 2030.

Staff finds this proposal generally aligns with these standards. The exterior of the house is in well-maintained condition and no alteration or expansion is planned for this structure because of this use. Furthermore, this proposal generally aligns with the applicable Primary Principles for the Five Forks Area. Trip generation from this use is not expected to overburden Ironbound Road.

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Impacts/Potentially Unfavorable Conditions	Status <i>(No Mitigation Required/Mitigated/Not Fully Mitigated)</i>	Considerations/Proposed Mitigation of Potentially Unfavorable Conditions
<u>Public Transportation: Vehicular</u>	<u>No Mitigation Required</u>	- The proposal is not anticipated to generate traffic exceeding a typical residential use.
<u>Public Transportation: Pedestrian/Bicycle</u>	<u>No Mitigation Required</u>	- Pedestrian/bicycle accommodations are not necessitated as a result of this proposed use.
<u>Public Safety</u>	<u>No Mitigation Required</u>	- Subject property is located within a five-minute radius of Fire Station 3. The proposal does not generate impacts that require mitigation to the County's emergency services or facilities.
<u>Public Schools</u>	<u>No Mitigation Required</u>	- The proposal is not expected to generate schoolchildren.
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	- The proposal does not generate impacts that require mitigation to the County's parks and recreation services or facilities.
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	- The proposal does not generate impacts that require mitigation to public libraries or cultural centers.
<u>Groundwater and Drinking Water Resources</u>	<u>No Mitigation Required</u>	- The proposal does not generate impacts that require mitigation to groundwater or drinking water resources.
<u>Watersheds, Streams, and Reservoirs</u>	<u>No Mitigation Required</u>	- The Stormwater and Resource Protection Division offered no objections after reviewing this proposal. No new impervious surface is included in this proposal. Should exterior site improvements be made in the future, such as a deck expansion or paved parking area, those improvements would be subject to additional environmental review at that time.
<u>Cultural/Historic</u>	<u>No Mitigation Required</u>	- The subject property has been previously disturbed and has no known cultural resources on-site.
<u>Nearby and Surrounding Properties</u>	<u>Mitigated</u>	-The subject property is located near both residential and commercial uses. -Traffic is anticipated to be typical of a residential home, the subject property must adhere to the County's Noise Ordinance, and the proposed SUP conditions will restrict commercial signage and exterior lighting. Future expansions of the use would require an SUP amendment.
<u>Community Character</u>	<u>No Mitigation Required</u>	-This segment of Ironbound Road is a Community Character Corridor (CCC) and Five Forks is designated as a Community Character Area. -The existing façade maintains the property's residential character, and parking is not located directly on the CCC, as recommended by the Comprehensive Plan.

This staff report is prepared by the James City County Planning Division to provide information to the Planning Commission and Board of Supervisors to assist them in making a recommendation on this application. It may be useful to members of the general public interested in this application.

PROPOSED SUP CONDITIONS

Proposed conditions are provided as Attachment No. 1.

STAFF RECOMMENDATION

Overall, staff finds the proposal to be compatible with surrounding development and generally consistent with the recommendations of the adopted Comprehensive Plan. Staff recommends approval, subject to the proposed conditions.

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Attachments:

1. Resolution
2. Location Map
3. Master Plan
4. Project Narrative
5. Primary Principles for Five Forks Area
6. Approved Minutes of the March 4, 2020 Planning Commission Meeting