
SPECIAL USE PERMIT-19-0012. Tiki Tree and Landscape**Staff Report for the July 14, 2020, Board of Supervisors Public Hearing**

SUMMARY FACTS

Applicant: Mr. Ryan Stephenson of AES Consulting Engineers

Land Owners: Hayden's Place, LLC (owned by Mr. Timothy J. Soderholm); Mr. Timothy J. Soderholm and Ms. Ashley Marie Campbell; and Mr. Bruce M. Gilliam

Proposal: A request to allow a contractor's storage yard

Locations: 6283, 6293, and 6289 Centerville Road

Tax Map/Parcel Nos.: 3120100004, 2340200001, and 3120100018

Project Acreage: 2.62 +/- acres

Zoning: A-1, General Agricultural District

Comprehensive Plan: Low Density Residential

Primary Service Area: Inside

Staff Contact: Brett A. Meadows, Planner

PUBLIC HEARING DATES

Planning Commission: February 5, 2020, 6 p.m. (deferred by applicant)
March 4, 2020, 6 p.m.

Board of Supervisors: July 14, 2020, 5 p.m.

FACTORS FAVORABLE

1. The proposed use is consistent with the recommendation of the 2035 Comprehensive Plan as a use of very limited commercial nature and located on a collector or arterial road.
2. With the attached Special Use Permit (SUP) conditions, staff finds the proposal is compatible with surrounding zoning and development.
3. Impacts: See Impact Analysis on Pages 4-5.

FACTORS UNFAVORABLE

1. With the attached SUP conditions, staff finds that there are no unfavorable factors.
2. Impacts: See Impact Analysis on Pages 4-5.

STAFF RECOMMENDATION

1. Approval subject to the attached SUP conditions.

PLANNING COMMISSION RECOMMENDATION

At the March 4, 2020 Planning Commission meeting, a motion to recommend approval passed with a vote of 5-2.

PROPOSED CHANGES MADE SINCE THE PLANNING COMMISSION MEETING

None.

PROJECT DESCRIPTION

Hayden's Place, LLC, doing business as Tiki Tree and Landscape, is currently operating a contractor's storage yard on a parcel along

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Centerville Road and is seeking this SUP to bring the operation into conformance with the Zoning Ordinance. A contractor's storage yard is a specially permitted use on property zoned A-1, General Agricultural.

According to information provided by the applicant, the operation is a storage yard for a professional tree and landscaping service with the following characteristics:

1. All storage, parking, and other operations of the storage yard occur at 6283 Centerville Road (Parcel 1), owned by Hayden's Place, LLC. 6289 Centerville Road (Parcel 2), owned by Mr. Gilliam, will only be used for the shared driveway. 6293 Centerville Road (Parcel 3), owned by Mr. Soderholm and Ms. Campbell, will only be used for the office and bathroom facilities for employees.
2. Within Parcel 1, the use itself is limited to areas shown on the attached Master Plan. Two existing enclosed sheds and one existing pole barn are part of the commercial use. One other temporary storage container will be moved from the front of the property and placed within the commercial use portion of the property. Parcel 1 also contains a pre-existing residential structure along the Centerville Road frontage and another pre-existing residential structure in the rear of the property. Neither residential structure is used for the commercial use.
3. There are no employees. All work is performed by subcontractors.
4. There will be no more than four vehicles stored on the property in relation to the business (a dump truck, a pickup truck, and two bucket trucks). Machinery associated with the business is stored

under the pole barn. A trailer for transporting equipment could potentially be stored in the yard.

5. A maximum of three subcontractor vehicles are parked on-site at any time. The subcontractor vehicles are not parked on the property at the same time as the business vehicles.
6. The hours of operation vary depending on the job, but no work is conducted on the subject property. When warranted, subcontractors meet at the site at approximately 7 a.m. and leave the site by 6 p.m. Trucks related to the business leave at various times after 7 a.m. and return to the site at various times close to 5 p.m. Operations run Monday through Friday, unless an emergency arises on the weekend.
7. Customers do not come to the site.
8. At Parcel 3, Mr. Soderholm currently has an approved home occupation permit for a business office for Tiki Tree and Landscaping at this residence. Parcel 3 is part of this SUP application in order to provide access to bathroom facilities for employees and subcontractors as required for this commercial use.

SURROUNDING ZONING AND DEVELOPMENT

This stretch of Centerville Road surrounding the property contains a mix of zoning designations.

1. The immediate surrounding parcels are zoned A-1, General Agricultural. These parcels are designated as Low Density Residential (LDR) in the 2035 Comprehensive Plan. Most of the parcels bordering on the east are part of the James-Shire Settlement subdivision, which was subdivided in 1972 for

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residential use. James-Shire Settlement parcels are less than two acres each. The immediate parcel to the west is +/- 21 acres and is currently classed as having an agricultural use.

2. The parcels directly across Centerville Road are zoned R-8, Rural Residential, and are part of the Camelot subdivision, which was subdivided in 1967 and 1969 for residential use. These parcels are designated as LDR in the 2035 Comprehensive Plan.

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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>Watersheds, Streams, and Reservoirs</u> The project is located in the Yarmouth Creek Watershed. The project has already been built to commercial use without approval from the County.	<u>Mitigated</u>	<ul style="list-style-type: none">- As the site was developed without any approved plans, a revegetation plan is required for portions of the commercial use area at the site plan stage per Condition No. 13.- The project will go through a site plan process that must meet stormwater management criteria.- Due to the storage of commercial equipment and machinery, a spill prevention and containment plan is required in Condition No. 9.
<u>Nearby and Surrounding Properties</u> The project is surrounded by residential properties. The project has already been built to commercial use without approval from the County.	<u>Mitigated</u>	<ul style="list-style-type: none">- The proposed project would continue the existing business operation.- So as not to disturb the residential character of neighboring James-Shire Settlement on Settlers Lane, all vehicle access to Parcel 1 will be via Centerville Road, per Condition Nos. 7 and 8.- To separate the commercial uses of Parcel 1 from surrounding parcels, limitations for each parcel within the project are defined in Condition No. 2, and enhanced landscaping and screening requirements are specified in Condition No. 6.- The applicant has stated that no work is performed on-site, so staff does not anticipate significant noise, odor, lighting, or other similar impacts on nearby properties. However, to address any potential impacts of this nature, hours of operation are defined in Condition No. 11 and lighting requirements are specified in Condition No. 12.- The project will need to demonstrate full compliance with the Zoning Ordinance at the site plan stage per Condition No. 15.
<u>Community Character</u> The project is located along the Centerville Road Community Character Corridor (CCC). Buffering along a CCC is required to be an average width of 50 feet.	<u>Mitigated</u>	<ul style="list-style-type: none">- As the commercial use is limited to the middle portion of Parcel 1 outside of the CCC buffer, this application does not propose any changes to the existing landscaping in this parcel's CCC buffer.- As noted above, enhanced landscaping to screen the project, including parking areas, is specified in Condition No. 6.- Also, as noted above, the project will need to demonstrate full compliance with the Zoning Ordinance at the site plan stage per Condition No. 15.

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<u>Cultural/Historic</u>	<u>No Mitigation Required</u>	- As noted above, the project will need to demonstrate full compliance with the Zoning Ordinance at the site plan stage per Condition No. 15.
<u>Public Transportation: Vehicular</u> Light commercial landscaping trucks will access the parcel.	<u>Mitigated</u>	- All vehicle access to Parcel 1 will be via Centerville Road, per Condition No. 7. - Centerville Road is a secondary arterial road. - No impacts anticipated. The traffic generated by the site is expected to be low (five to 10 weekday peak hour trips) and staff finds that the existing Centerville Road is equipped to handle this minimal increase in traffic.
<u>Public Transportation: Bicycle/Pedestrian</u>	<u>No Mitigation Required</u>	- The project parcels have existing sidewalks along the Centerville Road frontage. - Staff finds this project does not generate impacts requiring mitigation.
<u>Public Safety</u>	<u>No Mitigation Required</u>	- Fire Station 4 on Olde Towne Road serves this area of the County, approximately 4.1 miles from the project. - Staff finds this project does not generate impacts that require mitigation to the County's Fire Department facilities or services.
<u>Public Schools</u>	<u>No Mitigation Required</u>	- N/A since no residential dwelling units are proposed.
<u>Public Parks and Recreation</u>	<u>No Mitigation Required</u>	- N/A since no residential dwelling units are proposed.
<u>Public Libraries and Cultural Centers</u>	<u>No Mitigation Required</u>	- Staff finds this project does not generate impacts that require mitigation.
<u>Groundwater and Drinking Water Resources</u> Project Receives Public Water and Sewer	<u>No Mitigation Required</u>	- Staff finds this project does not generate impacts that require mitigation. As work is performed off-site, there should be minimal use of water and sewer on-site.

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COMPREHENSIVE PLAN

The property is designated LDR as are all of the surrounding parcels.

LDR Group 2 uses include very limited commercial and community-oriented facilities. LDR has development standards for use and character compatibility. New development is permitted only where such developments are compatible with the character of adjoining uses and where the impacts of such new developments can be adequately addressed. In LDR, particular attention should be given to addressing such impacts as incompatible development intensity and design, building height and scale, land uses, smoke, noise, dust, odor, vibration light, and traffic.

In LDR, Group 2 uses should only be approved when the following standards are met: they complement the residential character of the area; they have traffic, noise, lighting, and other impacts similar to surrounding residential uses; they are generally located on collector or arterial roads at intersections; they act as a transitional use between residential and commercial areas or, if located within a residential community, serve to complement the residential character of the area rather than altering its nature; they provide adequate screening and buffering to protect the character of nearby residential areas; and they are generally intended to support the residential area in which they are located.

Staff has determined that a landscaping contractor's storage yard is a limited commercial use and serves the local community as opposed to serving distance customers. The project has similarly-scaled structures to structures found in the surrounding residential uses. The project is located on a secondary arterial road, it does not serve customers at the site, and the applicant states that daily trips are minimal. As work is performed off-site, there should not be significant impacts of smoke, dust, odors, or noise. Proposed SUP conditions require a site plan to

meet all lighting and impervious surface requirements. To ensure that the commercial use complements neighboring residential uses and the CCC, significant landscaping and screening requirements are provided by the proposed SUP conditions.

PROPOSED SUP CONDITIONS

The full text of the proposed conditions are provided in Attachment No. 1.

STAFF RECOMMENDATION

With the attached conditions, staff finds that the proposal is compatible with surrounding zoning and development and consistent with the 2035 Comprehensive Plan.

Staff recommends the Board of Supervisors approve this application subject to the conditions stated in Attachment No. 1.

BAM/md
SUP19-12TikiTree

Attachments:

1. Resolution
2. Location Map
3. Master Plan
4. Rendered Layout Plan
5. Approved Minutes of the March 4, 2020 Planning Commission Meeting