

SPECIAL USE PERMIT-18-0027. 121 Leisure Road, Luxterra Electric Inc.

Staff Report for the February 6, 2019, Planning Commission Public Hearing

SUMMARY FACTS

Applicant: Mr. Clifton R. Martin

Land Owner: Forest W Hamilton Estate, Mr. Clifton R. Martin, Executor

Proposal: A contractor's office and equipment storage for Luxterra Electric Inc. as an independent electrical contractor.

Location: 121 Leisure Road

Tax Map/Parcel No.: 1120100006

Project Acreage: +/- 1.84 acres

Zoning: A-1, General Agricultural

Comprehensive Plan: Rural Lands

Primary Service Area (PSA): Outside

Staff Contact: W. Scott Whyte,
Senior Landscape Planner II

PUBLIC HEARING DATES

Planning Commission: February 6, 2019

Board of Supervisors: March 12, 2019 tentative

FACTORS FAVORABLE

1. The property has been used as a contractor's office and storage since 1990.
2. The proposal is generally compatible with surrounding zoning and development, with the proposed Special Use Permit (SUP) conditions.
3. The proposal is consistent with the recommendations of the Comprehensive Plan adopted in 2015, *"Toward 2035: Leading the Way"*.

FACTORS UNFAVORABLE

1. With the attached SUP conditions for the application, staff finds that there are no unfavorable factors.

SUMMARY STAFF RECOMMENDATION

Staff recommends the Planning Commission recommend approval of this SUP application to the Board of Supervisors, subject to the attached conditions.

PROJECT DESCRIPTION

Mr. Clifton R. Martin has applied for an SUP to allow a contractor's office with equipment storage associated with an electrical contracting business on a parcel located at 121 Leisure Road. The original owner had owned and operated his business since 1990 and the present owner has been operating the business since 2012. In order to bring the current operation into compliance, an SUP is required. Contractor's warehouses, sheds and offices are specially permitted uses in the A-1 zoning district.

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.

In addition to the existing 2,086-square-foot single-family dwelling on the site, other existing structures on the property include a 2,665-square-foot pole barn, a 2,800-square-foot shop and a 1,622-square-foot office. The applicant has indicated that the pole barn will be used to store equipment associated with the business, such as wire, fixtures, fitting conduit and other electrical supplies. Trucks, trailers and any large equipment shall be stored in the laydown yard which has a gravel surface. Three large trailers shall be moved periodically from the laydown yard and job sites. The 2,800-square-foot shop houses equipment used to complete the electrical jobs that cannot be performed on site. Currently, the business employs nine full-time employees besides Mr. Martin. According to the applicant, operating hours are generally between 6:30 a.m. and 6:30 p.m., Monday to Saturday, with most employees just stopping by the shop in the morning or evening. Most employees take their vehicles home each day.

PLANNING AND ZONING HISTORY

- The property has operated as a contractor's office and storage since September 1990, and SUPs have been required for contractor's offices in A-1 zoned properties since June 1990.

SURROUNDING ZONING AND DEVELOPMENT

- All surrounding properties are zoned A-1, General Agricultural.
- Surrounding properties contain single-family residential dwellings adjacent to three sides of the parcel. The parcel across Leisure Road is currently undeveloped, agricultural and forested uses but is designated for future economic opportunity uses. These uses should be located in a manner that minimizes effects on agricultural and forestal activities and located where public

services and facilities, especially roads, can adequately accommodate them.

COMPREHENSIVE PLAN

- The site is designated Rural Lands on the 2009 Comprehensive Plan Land Use Map.
- Principal suggested uses include agricultural and forestal activities, together with certain recreational public or semi-public and institutional uses that require a spacious site and are compatible with the natural and rural surroundings. Retail and other commercial uses serving Rural Lands are encouraged to be located at planned commercial locations on major thoroughfares inside the PSA. However, a few of the smaller direct agricultural or forestal-support uses, home-based occupations or certain uses which require very low-intensity settings relative to the site in which it will be located may be considered on the basis of a case-by-case review, provided such uses are compatible with the natural and rural character of the area, in accordance with the Rural Lands Development Standards.
- Staff finds that the proposed commercial use does not fully meet the descriptive language of "certain uses, which require very low-intensity settings relative to the site in which it will be located", as the use is slightly more intense than the surrounding properties.
- However, with the proposed SUP conditions staff finds that it is unlikely that the proposed operation, particularly with the parking of vehicles and storage of electrical contracting equipment located behind the residence, would visually impact either the right-of-way or adjacent properties. The distance of the parking area from the right-of-way is approximately 180 feet and well screened from

adjacent properties. With the proposed SUP conditions, staff finds that the rural residential character of the neighborhood will not be further impacted beyond what is currently in place.

PUBLIC IMPACTS

1. Anticipated Impact on Public Facilities and Services:

- *Environmental/Cultural/Historic:* Stormwater and Resource Protection has reviewed this application and met with the applicant to review the proposal and the need for a stormwater management plan as discussed. There is an existing pond on site which will need some maintenance and upgrades. Additional details shall be worked out at the plan of development stage. Condition No. 9 was drafted to ensure that stormwater improvements are completed.
- *Schools/Fire/Utility:* The site is located outside the PSA and is currently served by private well and septic systems. The Health Department has indicated no concern with the proposal provided that the use of office restrooms by employees is limited. The applicant has stated that employees are on the site only twice a day, if at all and very seldom use the restrooms in the office.
- *Streets:* The proposal is expected to generate low daily traffic and therefore has minimal impact to the local road system. Based on the applicant's response to staff's questions, all nine employees currently use private vehicles. It is expected that no more than nine trucks leave the site early in the morning and return late in the afternoon on a daily basis. Customers do not drive to the site. All trucks will be parked at the rear of the property away from the right-of-way and screened by natural vegetation from adjacent properties. The general location of

the parking area for these vehicles is shown on the attached Master Plan.

PROPOSED CONDITIONS

- The full text of the proposed conditions is attached.

STAFF RECOMMENDATION

Staff recommends the Planning Commission recommend approval of this SUP application to the Board of Supervisors, subject to the respective attached conditions.

WCW/md
SUP18-27Luxterra

Attachments:

1. Location Map
2. Draft SUP Conditions
3. Masterplan