Board Agenda Item
May 4, 2009

3:30 p.m.

Public Hearing on SE 2007-MA-034 (TD Bank, N.A.) to Permit a Drive-In Financial Institution in a Highway Corridor Overlay District and Modifications and Waivers in the CRD, Located on Approximately 28,083 Square Feet Zoned C-8, HC, CRD and SC, Mason District.

The application property is located at 7209 Little River Turnpike, Tax Map 71-1 ((1)) 89.

PLANNING COMMISSION RECOMMENDATION:
The Planning Commission public hearing was held on Wednesday, March 18, 2009 and decision was deferred for one week. On Wednesday, March 25, 2009, the Commission voted 10-0-1 (Commissioner Harsel abstaining; Commissioner Litzenberger not present for the vote) to recommend that the Board of Supervisors deny SE 2007-MA-034. The Planning Commission expressed concern about the number of waivers and modifications necessitated by the proposed use as well as concerns about the proposed entrance and the negative impact to onsite traffic circulation.

ENCLOSED DOCUMENTS:
None. Staff Report previously furnished.

STAFF:
Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Shelby Johnson, Staff Coordinator, Zoning Evaluation Division, DPZ

Planning Commission Meeting
March 25, 2009
Verbatim Excerpt

SE 2007-MA-034 – TD BANK, N.A.

Decision Only During Commission Matters
(Public Hearing held on March 18, 2009)

Commissioner Hall: As you know, we had a public hearing for the application number SE 2007-MA-034 for TD Bank, N.A. The public hearing was on March 18th. I deferred decision until the applicant had sufficient time to come back to the Mason District Land Use Committee because I viewed it as having quite a few problems. Is it necessary to see if there is someone to represent the applicant this evening? Oh he is there. I was just checking. He snuck in. Mr. Taylor is in the audience. Okay. It will come as no surprise to him what my motion will be. And I know that the members of the Annandale CBD and even the Mason District Land Use Committee are going to be disappointed in what my recommendation is. I know the Annandale group has been working for a long time to get an application on this site that would comply with their plans to revitalize this area. And while I think this is a very attractive bank, I see a number of problems with the application, and therefore I cannot recommend approval to the Board. The proposed drive-through financial institution is in general conformance with the Comprehensive Plan recommendations for use and intensity for this area of the Annandale CBD; however, the relatively small size of the parcel – it's 28,800 – excuse me, and 83 square feet – its relatively narrow depth of approximately 135 feet and this location at the intersection of two major arterials, combined with the need for significant right-of-way dedication and provisions of the streetscape improvements, present a substantial challenge and design, designing the site to accommodate the proposed financial institution with two drive-through lanes. The applicant's proposed design manages to compress all of the required elements into the 135-foot depth of the property, but the resulting plan requires significant modifications of the streetscape and front yard requirement along Little River Turnpike, a waiver of an on-road bike lane and a trail requirement, as well as modification of the drive aisle width. There are significant outstanding concerns with the proposed side entrance on Backlick Road as it will negatively affect both the onsite circulation traffic operations of the adjacent intersection of Little River Turnpike and Backlick Road. While the latest revisions of the SE Plat do provide for channelized entrance on Backlick Road, which is an improvement, it is not enough to totally preclude left-turn movements into and out of the site, which will interfere with the stacking of the left-turn land on northbound Backlick Road. While the applicant has explored the provisions of the median on Backlick Road with VDOT, VDOT has stated that they could not approve the median on this piece of Backlick Road as it would require significant improvements to the intersection as a whole. It would throw off the alignment of the existing travel lanes of Backlick Road on the opposite side of Little River Turnpike among other things, which the applicant would not be able to provide. Considering the amount of traffic which already travels through this intersection, this presents an unacceptable situation. Despite the suggestions from both County staff and VDOT that the applicant should redesign the site to locate the travel aisles to the south of the proposed drive-through lanes which staff believes would lessen the severity of some of the circulation

problems onsite, the applicant's basic design has not changed dramatically since its initial submission. Although the proposed development conditions address the minor concerns and deficiencies with the proposed development, the remaining transportation concerns are significant and present a potential impact to safety of both future patrons of the site and those utilizing the adjacent roadways and the general area. I don't know if I'm getting mellow or if I've just been on the Planning Commission too long. I used to think if this was improving the site and people were generally happy with it that might make it a good application and I would move it to be approved. But I don't think that's why we're here. And even though I know it will disappoint the Annandale group and the Mason District group, this is not the answer for that site. It is extremely busy. It cannot accommodate something that requires this much traffic and this many lanes of traffic on this application. And so therefore, Mr. Chairman, I RECOMMEND THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS DENIAL OF SE 2007-MA-034.

Commissioners Flanagan and Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence and Mr. Flanagan. Is there a discussion of the motion?

Commissioner Harsel: Yes.

Chairman Murphy: Mrs. Harsel.

Commissioner Harsel: I will be abstaining since I missed it. I haven't had time to review the tape.

Chairman Murphy: Further discussion?

Commissioner Flanagan: Mr. Chairman?

Chairman Murphy: Yes.

Commissioner Flanagan: Yes. There have been similar situations like this that we have denied in the past. And some of them have resulted in eventual good solutions. We've had a couple of them on Richmond Highway that have had access problems such as this. And so I would suggest that the developer research some of those better solutions and come back with another proposal at some later time. Thank you.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it not approve SE 2007-MA-034, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried unanimously with Commissioner Litzenberger not present for the vote.)

JN

Board Agenda Item
March 30, 2009

3:30 p.m.

Public Hearing on SE 2007-MA-034 (TD Bank, N.A.) to Permit a Drive-In Financial Institution in a Highway Corridor Overlay District and Modifications and Waivers in the CRD. Located on Approximately 28,083 Square Feet Zoned C-8, HC, CRD and SC, Mason District

The application property is located at 7209 Little River Turnpike, Tax Map 71-1 ((1)) 89.

PLANNING COMMISSION RECOMMENDATION:
The Planning Commission public hearing was held on Wednesday, March 18, 2009. On Wednesday, March 25, 2009, the Planning Commission voted 10-0-1 (Commissioner Harsel abstaining; Commissioner Litzenberger not present for the vote) to recommend that the Board of Supervisors deny SE 2007-MA-034. The Commission expressed concern about the number of waivers and modifications necessitated by the proposed use as well as concerns about the proposed entrance and the negative impact to onsite traffic circulation.

ENCLOSED DOCUMENTS:
None. Staff Report previously furnished.

STAFF:
Regina Coyle, Director, Zoning Evaluation Division, Department of Planning and Zoning (DPZ)
Shelby Johnson, Staff Coordinator, Zoning Evaluation Division, DPZ

Planning Commission Meeting
March 25, 2009
Verbatim Excerpt

SE 2007-MA-034 – TD BANK, N.A.

Decision Only During Commission Matters
(Public Hearing held on March 18, 2009)

Commissioner Hall: As you know, we had a public hearing for the application number SE 2007-MA-034 for TD Bank, N.A. The public hearing was on March 18th. I deferred decision until the applicant had sufficient time to come back to the Mason District Land Use Committee because I viewed it as having quite a few problems. Is it necessary to see if there is someone to represent the applicant this evening? Oh he is there. I was just checking. He snuck in. Mr. Taylor is in the audience. Okay. It will come as no surprise to him what my motion will be. And I know that the members of the Annandale CBD and even the Mason District Land Use Committee are going to be disappointed in what my recommendation is. I know the Annandale group has been working for a long time to get an application on this site that would comply with their plans to revitalize this area. And while I think this is a very attractive bank, I see a number of problems with the application, and therefore I cannot recommend approval to the Board. The proposed drive-through financial institution is in general conformance with the Comprehensive Plan recommendations for use and intensity for this area of the Annandale CBD; however, the relatively small size of the parcel – it's 28,800 – excuse me, and 83 square feet – its relatively narrow depth of approximately 135 feet and this location at the intersection of two major arterials, combined with the need for significant right-of-way dedication and provisions of the streetscape improvements, present a substantial challenge and design, designing the site to accommodate the proposed financial institution with two drive-through lanes. The applicant's proposed design manages to compress all of the required elements into the 135-foot depth of the property, but the resulting plan requires significant modifications of the streetscape and front yard requirement along Little River Turnpike, a waiver of an on-road bike lane and a trail requirement, as well as modification of the drive aisle width. There are significant outstanding concerns with the proposed side entrance on Backlick Road as it will negatively affect both the onsite circulation traffic operations of the adjacent intersection of Little River Turnpike and Backlick Road. While the latest revisions of the SE Plat do provide for channelized entrance on Backlick Road, which is an improvement, it is not enough to totally preclude left-turn movements into and out of the site, which will interfere with the stacking of the left-turn land on northbound Backlick Road. While the applicant has explored the provisions of the median on Backlick Road with VDOT, VDOT has stated that they could not approve the median on this piece of Backlick Road as it would require significant improvements to the intersection as a whole. It would throw off the alignment of the existing travel lanes of Backlick Road on the opposite side of Little River Turnpike among other things, which the applicant would not be able to provide. Considering the amount of traffic which already travels through this intersection, this presents an unacceptable situation. Despite the suggestions from both County staff and VDOT that the applicant should redesign the site to locate the travel aisles to the south of the proposed drive-through lanes which staff believes would lessen the severity of some of the circulation

problems onsite, the applicant's basic design has not changed dramatically since its initial submission. Although the proposed development conditions address the minor concerns and deficiencies with the proposed development, the remaining transportation concerns are significant and present a potential impact to safety of both future patrons of the site and those utilizing the adjacent roadways and the general area. I don't know if I'm getting mellow or if I've just been on the Planning Commission too long. I used to think if this was improving the site and people were generally happy with it that might make it a good application and I would move it to be approved. But I don't think that's why we're here. And even though I know it will disappoint the Annandale group and the Mason District group, this is not the answer for that site. It is extremely busy. It cannot accommodate something that requires this much traffic and this many lanes of traffic on this application. And so therefore, Mr. Chairman, I RECOMMEND THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS DENIAL OF SE 2007-MA-034.

Commissioners Flanagan and Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence and Mr. Flanagan. Is there a discussion of the motion?

Commissioner Harsel: Yes.

Chairman Murphy: Mrs. Harsel.

Commissioner Harsel: I will be abstaining since I missed it. I haven't had time to review the tape.

Chairman Murphy: Further discussion?

Commissioner Flanagan: Mr. Chairman?

Chairman Murphy: Yes.

Commissioner Flanagan: Yes. There have been similar situations like this that we have denied in the past. And some of them have resulted in eventual good solutions. We've had a couple of them on Richmond Highway that have had access problems such as this. And so I would suggest that the developer research some of those better solutions and come back with another proposal at some later time. Thank you.

Chairman Murphy: Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it not approve SE 2007-MA-034, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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(The motion carried unanimously with Commissioner Litzenberger not present for the vote.)

JN