

CITY OF WINCHESTER, VIRGINIA

PROPOSED CITY COUNCIL AGENDA ITEM

CITY COUNCIL MEETING OF: 09/23/14 (work session) CUT OFF DATE: 9/17/14
10/14/14 (approval)

RESOLUTION ___ ORDINANCE ___ PUBLIC HEARING ___

ITEM TITLE:

SD-14-532 Request of the City of Winchester for subdivision approval of a subdivision including right-of-way dedication for Meadow Branch Avenue at 200 Merrimans Lane and 470 Merrimans Lane, zoned Conditional Highway Commercial (B-2) District, Education, Institution and Public Use (EIP) District, Medium Density Residential (MR) District, Low Density Residential (LR) and Residential Business (RB-1) District.

STAFF RECOMMENDATION:

Approval with conditions.

PUBLIC NOTICE AND HEARING:

N/A

ADVISORY BOARD RECOMMENDATION:

Planning Commission recommended approval with conditions.

FUNDING DATA: N/A

INSURANCE: N/A

The initiating Department Director will place below, in sequence of transmittal, the names of each department that must initial their review in order for this item to be placed on the City Council agenda.

Table with 4 columns: DEPARTMENT, INITIALS FOR APPROVAL, INITIALS FOR DISAPPROVAL, DATE. Rows include Public Services Director, City Attorney, City Manager, and Clerk of Council.

Initiating Department Director's Signature: (Planning Dept)

Handwritten signature and date 9/17/14.



APPROVED AS TO FORM:

Handwritten signature and date 9/17/14, CITY ATTORNEY

CITY COUNCIL ACTION MEMO

To: Mayor and Members of City Council
From: Tim Youmans, Planning Director
Date: September 17, 2014
Re: SD-14-532

THE ISSUE:

Request of the City of Winchester for subdivision approval of a subdivision including right-of-way dedication for Meadow Branch Avenue at 200 Merrimans Lane and 470 Merrimans Lane, zoned Conditional Highway Commercial (B-2) District, Education, Institution and Public Use (EIP) District, Medium Density Residential (MR) District, Low Density Residential (LR) and Residential Business (RB-1) District.

RELATIONSHIP TO STRATEGIC PLAN:

Goal 1: Grow the Economy.
Vision 2028 (Principle 6) – Easy Movement.

BACKGROUND:

See attached staff report.

BUDGET IMPACT:

N/A

OPTIONS:

- Approve
- Deny (must state deficiencies)

RECOMMENDATIONS:

Planning Commission recommended approval with conditions.

City Council Work Session
September 23, 2014

SD-14-532 Request of the City Of Winchester for subdivision approval for a subdivision including right-of-way dedication for Meadow Branch Avenue at 200 Merrimans Lane and 470 Merrimans Lane, zoned Conditional Highway Commercial (B-2) District, Education, Institution and Public Use (EIP) District, Medium Density Residential (MR) District, Low Density Residential (LR) and Residential Business (RB-1) District.

REQUEST DESCRIPTION

The request is for preliminary approval of a six (6) lot subdivision and the dedication of Meadow Branch Avenue as a four (4) lane divided roadway through the current Ridgewood Orchard and Moffett Farms properties. A third existing property, owned by DBL Holdings, is not included in this subdivision since it is not traversed by the new public street, but will be included in a subsequent Minor Subdivision. It is mostly absorbed into the proposed John Kerr Elementary School site and partially absorbed into a commercially zoned property owned by Ridgewood Orchard. Two other minor boundary line adjustments include one with the Lum residential property next to the school site to account for an encroachment and a boundary line adjustment with the Sacred Heart property to eliminate a narrow strip of land between the new road and the Sacred Heart property.

AREA DESCRIPTION

The land included within the subdivision entails a variety of zoning designations. The 33.4 acres of land currently owned by Ridgewood Orchard was rezoned at the September 9th Council meeting. That rezoning changed most of the conditionally zoned Residential-Business (RB-1) zoning to Highway Commercial (B-2) and remove the Amherst Street Corridor Enhancement (CE) overlay District. It changed the conditionally zoned Medium Density (MR) land to eliminate proffers associated with the 2005 rezoning from LR to MR. Most of the adjoining Low Density (LR) zoned DBL Holdings property was rezoned to Education, Institution, & Public (EIP) with some of it going to B-2 zoning (in line with the proposed subdivision lot lines). Some existing LR zoning on the Ridgewood Orchard property closest to Merrimans Lane remains LR and is not proposed to be subdivided off from the 9.62-acre site that is mostly proposed for rezoning to B-2.



Zoning on properties surrounding the subdivision include:

- Conditional B-2 with CE overlay on the 2 vacant parcels and the CVS parcel fronting along Amherst St to the north
- LR with some CE overlay on the Sacred Heart School and Church property to the northeast
- LR on the rear of the Frederick County School Board property to the northeast
- LR on the adjoining vacant portion of the Glass-Glen Burnie Foundation property to the east
- LR (PUD) on the Downs, Section IV and Estate Residential areas of Meadow Branch North subdivision property to the south (lots fronting along Buckner Drive and Heth Place)
- LR on the adjoining Moffett Farms LLC land that is not part of this subdivision to the southwest
- LR on the Lum property that is effectively a “donut-hole” surrounded by land in this subdivision
- LR on all of the remaining properties to the west fronting along the east side of Merrimans Lane

STAFF COMMENTS

Catalyst for the Subdivision

The driving force behind this subdivision of three privately-owned parcels is the need to create the 9.34-acre elementary school site that will front along the west side of newly constructed Meadow Branch Avenue. City Council and the Winchester School Board selected the site in late 2013 and early 2014. The new roadway provides the only public street frontage to this site and needs to be in place or bonded before the subdivision can be recorded. The roadway and other public improvements must be completed before a building permit can be issued to C&S (the PPEA entity) for the new school unless City Council grants an exception to allow certain site development activities to occur before the improvements are in place. Fire hydrants would need to be operational and the Fire & Rescue Department would need to approve an alternative access plan for emergency response if Meadow Branch Avenue is not completed prior to the building permit being requested for the school. The school site absorbs most of the currently landlocked DBL Holdings property which relied upon an access easement for vehicular access to Merrimans Lane. That driveway would be eliminated as part of this subdivision. Another driveway that would be eliminated is the paved entrance across the Ridgewood Orchard property that was built to provide alternate access to Sacred Heart Church soon after it was constructed in 1988.

Initial Ridgewood Orchard Lot Layout

The plats for the initial Major Subdivision depict the Ridgewood Orchard property being subdivided into just three lots- one 12.66-acre elongated lot on the east side of the Meadow Branch Ave right of way, and two lots on the west side of the roadway. The northerly lot on the west side contains 10.74 acres and includes the wedge of remaining LR land that will presumably be subdivided away from the larger portion of the site that was rezoned B-2. The southerly lot on the west side contains 6.4 acres, all of which will become part of the school site (with the exception of a small area conveyed to Lum).

Overall Lot Layout

In addition to the 9.34-acre school site that will result after the assemblage of the DBL Holdings property, the Ridgewood Orchard property is scheduled to be subdivided such that a 2+/- acre site will be situated immediately south of (behind) the CVS store along the east side of Meadow Branch Avenue. Another 9.6+/- acre site will be situated along the west side of the street between the intersection of Meadow Branch/Merrimans Lane and the school site. A third Ridgewood Orchard parcel will comprise all of the remaining Ridgewood acreage (approx. 10.6 acres) situated along the east side of Meadow

Branch Avenue (across from the school site). This includes a narrow strip of land approximately 0.8 acres in area that is still zoned RB-1 that should be rezoned to LR and conveyed off to the Roman Catholic Diocese of Arlington to assemble in with the adjoining Sacred Heart Church property.

The dedication of Meadow Branch Avenue through the 22.88-acre Moffett property creates one new 7.39-acre parcel along the east side of the street separate from the remaining 13.65 acres of Moffett property situated along the west side of the new street. (Note: There is other Moffett land that is not part of this subdivision.) While the presently landlocked Lum single-family residential lot is not part of the subdivision, it will become a conforming lot of record due to Meadow Branch Avenue being platted adjacent to the rear (east) boundary of the site that otherwise has driveway access to Merrimans Lane over the Moffett property. No driveway access on Meadow Branch Avenue is proposed to serve this lot.

Meadow Branch Avenue Right-of-Way

Meadow Branch Avenue is generally shown as an 86-foot wide right-of-way, more than adequate to comply with the Category III Street standards in the Land Subdivision Ordinance. At the southern end, where it transitions into existing Meadow Branch Avenue at Buckner Drive, it tapers down to a 70-foot wide right of way. However, in this area there are easements for landscaping and public access along the west side of the dedicated right-of-way. The 1.79 acres of Meadow Branch Ave right-of-way being dedicated by Moffett Farms LLC is consistent with a rezoning proffer from 2008 when the portion of the Moffett land situated to the east of the proposed roadway was conditionally rezoned from LR to MR residential. Dedication of land for Meadow Branch Avenue across the Ridgewood property had been proffered in 2005 as part of that conditional rezoning, but has since been incorporated into the C&S PPEA proposal wherein the developer is contributing the right of way and the City and the PPEA partner are splitting the cost of building the 4-lane divided public roadway. The City is utilizing Virginia Revenue-Sharing funds for the public portion of the construction costs wherein state tax monies are matched with local dollars on a 50-50 basis. The local dollars are the funds from the developer.

Meadow Branch Avenue Design

The construction details of the newly proposed stretch of Meadow Branch Ave were presented to the public at an open house held at City Hall on Thursday, August 28th. The typical section calls for a 4-lane divided minor arterial roadway that transitions to a 2-lane divided roadway **about 600 feet** north of the current intersection of existing Meadow Branch Avenue and Buckner Drive in the Meadow Branch North Subdivision. The width of the two-lane travel way in each direction is proposed at 22 feet (11 feet per lane) in addition to a 2-foot wide gutter pan on both side of the asphalt travel way. This design is still subject to Council approval following presentation by staff at a Council work session on **September 23rd** and action (possibly concurrent with the Subdivision review) by Council in October.

Meadow Branch roadway extends southward beyond the Moffett property within existing 70-foot wide public right-of-way that was set aside for the street extension, but never actually constructed when the Downs, Section 4 and the Estate Residential portions of Meadow Branch North subdivision were built in the 1990's. In hindsight, the developer of those areas should have been required to at least undertake the rough grading and drainage design for that roadway extension since the construction is now going to be more expensive due to retaining walls that must be constructed in order to keep runoff from negatively impacting the landscaped yards associated with the single-family homes constructed along Heth Place.

Multiple intersections with median crossings are proposed along the new roadway. A fully signalized intersection is proposed at the northerly elementary school site entrance. The north school entrance is

where school employee parking and parent pick-up/drop-off would be located. This intersection would also provide access to the 10+/- acre site on the east side of the roadway. It would provide access for Sacred Heart Church and school via an ingress/egress easement that was envisioned back in the late 1980's when the Diocese owned all of the land that is now Ridgewood Orchard. The southerly school entrance (which is not connected to the north entrance internally on the school site) would be for bus staging/parking and for truck deliveries. That 3-way intersection would have a stop condition for the buses and trucks exiting the school and may require use of school employees or resource officers to stop traffic on Meadow Branch Avenue in order to allow the buses to exit the site during afternoon dismissal.

The preliminary roadway plans depict one other 4-way intersection which provides access to the Moffett Farms property on both east and west sides of the street. This is where the latest draft plans depict a change from 1 lane in each direction to 2 lanes in each direction if Council decides to stripe the existing portion of Meadow Branch Ave as a single lane in each direction with a bike lane and curbside parking. An additional 3-way intersection is included to serve the larger Ridgewood Orchard commercial site along the west side of the street north of the school site. These intersections would have stop conditions for the side streets (or private driveways, depending upon future development plans).

The existing private driveway providing access into the rear of the CVS (opposite of the Merrimans Lane intersection with Meadow Branch Ave) is physically located on the 2-acre commercial site and would provide the sole means of access into and out of that site. This 4-way intersection would remain as it is today with stop conditions for the side streets/driveways, but no stop condition on Meadow Branch Avenue. The 4-way intersection at Buckner and Meadow Branch Avenue is proposed to be a 4-way stop condition (assuming a single-lane striping option for the existing stretch of Meadow Branch Ave).

Finally, the preliminary plans depict a right-in/right-out (RI/RO) driveway serving the northern portion of the 7.39-acre Moffett land on the east side of the street. This area is otherwise served by full access, 4-way intersection at the southern end of the subject parcel and the distance between this RI/RO driveway and the median crossing at the south school entrance is less than the 300-foot minimum required per the Land Subdivision Ordinance (LSO) Section 2-2-32.1 for Category III streets. Planning staff does not recommend this access and it would require Planning Commission recommendation and Council approval of an exception per Section 8-1 of the LSO in order to be approved.

Green Circle Trail & Sidewalks

The preliminary plans calls for the Green Circle Trail (GCT) to be a 10-foot wide asphalt trail separated from the eastern curb line by a 5-foot wide green strip where trees would be installed. In the transition area down closer to Buckner Drive, the green strip disappears and the trail is right up along the curb line. It is situated along the east side of Meadow Branch Avenue for the full length from Merrimans Lane intersection all the way south to Buckner Drive. This conflicts with the location shown in the Comprehensive Plan amendment adopted by City Council earlier in 2014 which calls for the trail to extend up Meadow Branch Avenue along the east side from Amherst Street to the signalized intersection at the north entrance to the school where pedestrian crossing signals would be installed to allow safe crossing to the school and for bikers crossing over to the west side. Then, the trail was to extend along the west side south to where existing sidewalk along the west side of existing Meadow Branch Avenue is situated. From there, the existing Green Circle Trail can then be accessed down at the Abrams Creek Wetland Preserve. The proposed change in alignment of the GCT is based upon civil engineering recommendations that indicate that it would be more challenging to install the trail along the west side of the roadway down near where the Heth Place house lots abut the Meadow Branch Avenue right-of-way.

The easterly alignment of the GCT would mean that children in the current estate homes along Heth and Buckner as well as any school-aged children in future homes developed on the adjoining Moffett property wishing to ride their bike to the John Kerr School would need to cross the divided roadway to access the GCT on the east side of the roadway and then cross back over the 4-lane divided roadway at the signalized intersection rather than just taking the trail along the west side of the street. Homes on the east side would benefit from the trail on that side, however, most of the occupants of the current homes in Downs Section IV as well as in Early's Green and the Mews are empty-nesters. Likewise, the vacant Moffett and Ridgewood Orchard sites along the east side of the road are likely to be marketed for retirement housing or assisted living facility use where few, if any, school children would reside.

A spur of the Green Circle Trail is also called for within an easement across the Ridgewood property to the east of the school site. This would allow for a private trail spur connecting to trails on the Glen Burnie/MSV property consistent with the recently adopted Comprehensive Plan and the pending rezoning proffer.

A standard 5-foot wide concrete sidewalk would be constructed along the west side of the street, including front of the elementary school site (assuming that the GCT is approved along the east side). The plans call for a 5-foot wide green strip between the sidewalk and the curb line where trees would be installed. As with the GCT on the opposite side of the street, the green strip disappears in the transition area down near Buckner Dr and the sidewalk is right up against the back of curb.

Street Lighting

Lighting is not proposed along the GCT on the east side nor is lighting proposed along the sidewalk on the west side. Instead, double-armed street lights are proposed in the landscape median which, in most areas is 12 feet wide. However, in areas where left-turn lanes are proposed, the landscaped median becomes a 2-6 foot wide concrete median. It is unclear where street lights are proposed in the numerous areas where the narrow concrete medians are proposed.

Drainage/Storm Water Management

Drainage and Storm Water management are still being designed. Numerous easements will be needed to accept runoff which generally flows down toward Amherst St before being carried through the City's storm water system. It is unclear at this stage if storm water ponds are being proposed as part of the subdivision. Those details will be provided with Final Subdivision review by City staff.

Grading Plans

Topographic plans for Meadow Branch Ave have now been submitted showing existing and proposed grading. The grade of the road fairly closely follows the grade of most of the Moffett property and the southerly and northerly ends of the Ridgewood property. In the area between Sacred Heart church and the proposed B-2 land on the Ridgewood site, there is some cut on the Sacred Heart (east) side and upwards of 6-7 feet of fill on the west side as the road curves up the hill toward the school site.

Water & Sewer and other Utilities

No plan and profile drawings depicting underground water and sewer lines and locations of fire hydrants have been made available for review with the subdivision application yet. No plans depicting underground utilities such as electric, telephone, CATV, and gas have been submitted yet. These details can be reviewed by City staff. Some utilities, such as water and sewer across the Moffett property, are not scheduled to be installed with the roadway project .

Plats, Deeds of Dedication, and Restrictive Covenant Documents

No plat sets or required deeds and documents have been submitted for City Attorney review at this point.

Subdivision Surety

No bond estimates or draft letters of credit providing for required surety of public improvements have been submitted yet. The PPEA approach to construction of the public improvements may entail some other form of assurance that the improvements are completed properly.

RECOMMENDATION

At their September 16, 2014 meeting, the Planning Commission forwarded **SD-14-532** to City Council recommending approval of the subdivision depicting right-of-way dedication for Meadow Branch Avenue and three (3) lots on the Ridgewood Orchard property at 200 Merrimans Lane as well as two (2) lots on the Moffett Farms property at 470 Merrimans Lane. The recommendation is subject to approval of the construction drawings by City staff and review and approval of the deed of dedication by the City Attorney.