



TOWN COUNCIL WORK SESSION

Monday, March 5, 2018 @ 7:00pm
Town Hall Council Chambers

1. Warren Memorial Hospital (Valley Health) Conditional Rezoning Application – *Dir of P & Z* **STAFF RECOMMENDATION:**

- This application requires a public hearing/1st Reading and 2nd Reading. The purpose of this work session agenda item is to review the application prior to the March 26, 2018 Public Hearing.
- The Planning Commission recommended approval of the application during their meeting on February 21, 2018.

STAFF REPORT FOR THE FEBRUARY 21, 2018 PLANNING COMMISSION MEETING UPDATED FOR MARCH 5, 2018 TOWN COUNCIL WORK SESSION

Summary: The subject application proposes to conditionally rezone approximately 147 acres from the R-S/A-1 Districts, to the MCD District, and includes a Concept Plan that illustrates the development plan for the property as a future site for a hospital, medical offices, and accessory uses. A proffer statement is included with the application that addresses impacts of the proposed development and a zoning change for two small tracts of land that are part of a property trade agreement with Warren County at the entrance of Oden Street and Leach Run Parkway.

The property is located on the east side of Leach Run Parkway. It is bordered to the north by Warren County Middle School (new), to the east and south by Warren County, and to the southwest by the planned development referred to as Swan Estates (HEPTAD).

PROPOSED ZONING: This rezoning application proposes to rezone approximately 147 acres to the MCD District. It also includes rezoning Area "E" from the A-1 to the R-1 District, and Area "F" from the R-1 to the MCD District. These smaller parcel zoning changes would go into effect when the Applicant and Warren County finalize an agreement to swap the properties and consolidate them into their parcels. This change would effectively cleanup the boundary line between Valley Health and the middle school. The only other property in the Town that is designated with the MCD District zoning classification is Royal Phoenix. As stated under Town Code 175-53.9, the intended purpose of the MCD District is as follows:

"The purpose for establishing the MCD District is to implement the policies of the Comprehensive Plan that support the redevelopment or development of large tracts of land for principally non-residential purposes. In addition, the MCD District is intended to encourage greater creativity through regulations that are more flexible than the traditional zoning districts of this Chapter. The regulations of the MCD District are designed to permit development that includes a mixture of commercial,

industrial and organizational land uses within a planned campus environment. The regulations herein will protect the health and safety of Town citizens while promoting the public's general welfare through the establishment of new economic development opportunities for the promotion of jobs, tax revenue, and a vibrant community."

Page 4 of the 2011 Comprehensive Plan Amendment identifies the subject property within the Town's Urban Development Area and identifies it as a potential site for a future hospital.

IMPACTS & CONSIDERATIONS:

During the January 31, 2018 Planning Commission Work Session, the following impacts and planning considerations were discussed with the Applicant.

- 1) The cost of the proposed signalization of the proposed main entrance to the hospital.
- 2) The cost of possible future signalization of the proposed secondary entrance to the hospital at Oden Street.
- 3) The cost of the possible future signalization of the entrance at HEPTAD.
- 4) Access management of traffic with the future commercial area of Swan Estates/HEPTAD.
- 5) Access management of traffic with the Warren County Middle School.
- 6) Increased service calls by law enforcement and fire and rescue services to the eastern portion of the Town.
- 7) How to fund a redundant electric service transmission line to the site.
- 8) Preservation of canopy coverage and protection of environmental assets.

Following the Planning Commission Work Session, the Applicant prepared revisions to the proposed proffers. This revision includes changes that address #1 and #4, as listed above. Below is a summary of the applicant's proposed proffers, as revised and submitted 2/9/18.

Proffer #1. Agreement of general conformance with the submitted Concept Plan.

Proffer #2. Construction of a 200-foot right-turn lane with taper serving the northbound approach of the proposed main entrance to the hospital.

Proffer #3. Agreement to submit a signal warrant analysis and signal justification report for the intersection of Leach Run Parkway and the proposed main entrance.

Proffer #4, AMENDED: Agreement to signalize the proposed main entrance to the hospital within 5 years, but with the following caveats:

- o The hospital will only contribute up to \$300,000 towards the design and construction and that the Town shall contribute the remaining funds.
- o Design shall be furnished within 180 days of request by the Town.

- o Construction shall be completed within 180 days following approval of construction documents.

Proffer #5, AMENDED: Agreement to provide an easement to allow for future interparcel connection with the commercial area of Swan Estates/HEPTAD and construction of a commercial entrance off of the proposed hospital loop road.

Proffer #6. Specification that two small pieces of land are to also be rezoned to clean-up the zoning boundary between the property and the WC Middle School Property, subject to final recordation of the property swap that is in-process with Warren County.

Proffer #7, ADDED: Agreement that future changes to the concept plan will require revisions to the concept plan per Town rezoning procedures, but that “any” future addition to parking or buildings shown on the Concept Plan would not be required to.

STAFF COMMENTS:

○ Proffer #7. This proffer was added in the 2nd rendition of the proffers, submitted on 2/9/18. The language appears to conflict with the Town Code 175-53.12, by allowing ANY additions or modifications to the uses shown on the Concept Plan. The Town Code allows for minor deviations that do not significantly alter the overall plan or conflict with the code.

○ Proffer #4: The hospital has increased their maximum contribution for signalization from \$175,000 to \$300,000 for a future traffic signal at their proposed main entrance. The proffer states that they will design and construct the signalization if requested by the Town within 5 years from the date an occupancy permit is issued.

- Staff has the following concerns with Proffer #4:

- The proffer may not cover 100% of the cost for signalization. While \$300,000 should be an adequate amount, the final cost will

depend on 1) when the signalization is constructed, 2) what extras are included in the design, and 3) what right-of-way, if any, would be needed.

- The time limitation is potentially problematic if the traffic warrant analysis concludes that a traffic signal is not warranted until after 5 years.

- That applicant has not offered to mitigate the fiscal impact to the Town related to a possible future traffic signal at Oden Street. Unlike the proposed main entrance, the hospital's pro-rata share is certainly not 100%. However, the hospital's development is a significant contributing factor and will expedite the possible need for a traffic signal at this intersection.

- While this is not directly associated with the rezoning application, Staff believes that it is important to note that the Town does not presently have funding for a redundant power transmission line to the hospital. A redundant underground electrical transmission line along Leach Run Parkway to the hospital site is estimated to cost \$731,281.60.

- Minor technical issue: The application and proffers should be modified to reflect that the current zoning is both A-1 and R-S. The Warren County real estate records indicates that the parcel is zoned A-1, but it is in-fact split zoned R-S and A-1.

Note: Staff has discussed the above comments with the Applicant, and based on the Applicant's input, believes that a future revision of the language may be possible to address the identified concerns.

CONCLUSIONS:

This proposed rezoning application for a future hospital and medical office buildings conforms with the Town's Comprehensive Plan. The application includes a well thought out Concept Plan, and includes proffers to mitigate some of the impacts of the proposed development. While a hospital use itself brings minimal tax revenue to the Town directly¹, it will indirectly improve land values in the area, as well as increase demand for new housing and business development. However, there remains some notable concerns with the application, as identified in this report on pages 7 and 8. With additional dialogue with the applicant, it is hoped that most, if not all, of these concerns can be addressed. During the February 21, 2018 Planning Commission Meeting, the Planning Commission passed a motion to recommend approval of this conditional rezoning application to Town Council, including the proffers dated February 14, 2018, and the Concept Plan, dated January 16, 2018. Several residents of Green Hill Subdivision (Warren Count) spoke at the public hearing. They asked questions about the Concept, possible future development areas, buffering, and conservation of the high elevation.

Council Discussion: Text here

2. Encroachment Request for 114/116 E. Main Street for Handicap Ramp and Landing –
Director of Planning/Zoning

SUMMARY: Along with other renovation work, the owner of 114/116 E Main Street has applied to construct a handicap ramp and landing at the rear entrance to the building. Attached with this coversheet is a copy of the Applicant's plans. The proposed handicap ramp and landing would be located within Town Property; and therefore, require approval by Town Council. Below is a picture of the area in question. Owner: Mark Poe/Poe Shoe & Brace Company

STAFF RECOMMENDATION: Staff does not object to issuance of a 5-year encroachment license at this time to facilitate the improvements sought by the Applicant.

Council Discussion: text here

3. Installation of Generator for Town Hall – *Director of Energy Services*

SUMMARY: Discussion for the consideration of a 60-kw backup generator and UPS combination for the Towns business office. • Located in the Towns business office is critical infrastructure that is lost during an extended power outage

Council Discussion: text here

4. Continued Discussion of FY19 Proposed Budget – *Director of Finance*

5. Liaison Committee Agenda Items

SUMMARY: Council is requested to add items to the Liaison Committee Agenda for March 15, 2018. Formal approval of these items will be held at the March 12, 2018 Council Meeting. A copy of the last Liaison Committee Meeting Agenda is attached.

- 1) IT Federal Main Street Project – Joe Waltz**
- 2) Route 522 Corridor Water Upgrade Project – Joe Waltz**
- 3) Phase II Happy Creek Road Project Update – Joe Waltz**
- 4) Town Building Maintenance Code Enforcement Update – Joe Waltz**
- 5) Update on Wastewater Treatment Plant – Joe Waltz**
- 6) Development Review Committee – Doug Stanley**
- 7) Relocation of VA Inspection Sticker/Motor Vehicle Decals – Joe Waltz**
- 8) Building Inspections Software – Doug Stanley**
- 9) Warren County's In-Town Projects – Doug Stanley**

10) Joint Towing Board – Joe Waltz / Doug Stanley

11) Tethering of Dogs in Extreme Weather – Joe Waltz / Doug Stanley

6. Council Discussion/Goals

7. CLOSED MEETING – Compensation/Job Description/Performance Study

Motion to Go Into Closed Meeting

Councilman ===== moved, seconded by Councilman -----, that Town Council go into closed meeting for the following purposes: A preliminary draft of a Town employee compensation and job description and performance study, compiled exclusively for use in the closed meeting, prepared by the Town's consultants, Paypoint HR, exclusively for viewing by and discussion with Town Council and certain Town staff in closed meeting, in more specific regards to: (A) Discussion and consideration of the assignment, appointment, promotion, or performance of specific appointees or employees of the Town, pursuant to Section 2.2-3711.A.1 of the Code of Virginia; (B) Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, pursuant to Section 2.2-3711. A. 6. of the Code of Virginia; (C) Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711. A. 8. of the Code of Virginia.

Vote: Yes – Connolly, Gillispie, Meza, Morrison, Sealock and Tewalt

No – N/A

Abstain – N/A

Absent – N/A

(Mayor Tharpe did not vote as there was no tie to require his vote)

(By Roll Call)

Motion to Certify Closed Meeting at its Conclusion

Councilman ===== moved, seconded by Councilman ----- that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed

Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Connolly, Gillispie, Meza, Morrison, Sealock, Tewalt and Tharpe

No – N/A

Abstain – N/A

Absent – N/A

(By Roll Call)
