



City of Petersburg Planning Commission

Report

DATE: February 2, 2023

TO: The City of Petersburg Planning Commission

FROM: Reginald Tabor, Planning Manager
Sandra Robinson, Zoning Administrator

Re: **A RESOLUTION RECOMMENDING APPROVAL OF A REQUEST TO AMEND THE PROFFERS PREVIOUSLY ADOPTED WITH THE REZONING FOR THE PROPERTIES LOCATED AT 1200, 1220, 1225 AND 1255 HARRISON CREEK BLVD, TAX PARCELS 040030801, 040030805, 040030806, AND 04003080, RESPECTIVELY TO PERMIT THE CONSTRUCTION OF FIVE (5) STRUCTURES WITH A TOTAL OF 120 UNITS OF MULTI-FAMILY HOUSING**

APPLICANT: PBFL, LLC represented by C. Burton Cutright

PURPOSE:

To consider a resolution recommending approval of a request to amend the proffers previously adopted with the rezoning for the properties located at 1200, 1220, 1225 and 1255 Harrison Creek Blvd, Tax Parcels 040030801, 040030805, 040030806, and 04003080, respectively to permit the construction of five (5) structures with a total of 120 units of multi-family housing.

RECOMMENDATION:

It is recommended that the Planning Commission considers a resolution recommending approval of a request to amend the proffers previously adopted with the rezoning for the properties located at 1200, 1220, 1225 and 1255 Harrison Creek Blvd, Tax Parcels 040030801, 040030805, 040030806, and 04003080, respectively to permit the construction of five (5) structures with a total of 120 units of multi-family housing.

BACKGROUND:

On December 5, 2007, the Planning Commission voted to recommend approval of the rezoning to PUD and associated proffered conditions for the Harrison Creek Development. The City Council subsequently adopted 08-ORD-20 on February 19, 2008, approving the rezoning to PUD with proffered conditions, to permit multi-family residential, commercial, office space and recreational spaces. The approved PUD includes Office/Retail (3.97+/- acres); a Commercial Mini-Storage site (2.02+/- acres); Community Center/Pool, Multi-Family residential complex, containing 336 dwelling units within fifteen (15) structures on 28.47+/- acres. The developers completed the construction of the multi-family dwellings with the Community Center/Pool which is now known as “Acqua Luxury Apartments” and addressed as 1200 Harrison Creek Boulevard. The remaining parcels are vacant.

In 2021, the petitioners proposed an amendment to the proffered conditions that would allow the construction of up to 65 single-family detached rental homes on 6.26+/- acres of land located along Harrison Creek Blvd between Route 460 and Aqua Luxury Apartments. The Planning Commission considered the petition to amend the proffered conditions previously approved with the rezoning of the property and voted unanimously on November 4, 2021, to recommend approval of the proposed proffer amendments. The City Council subsequently considered the petition and referred it back to the Planning Commission.

The Planning Commission considered the petition during the January 20, 2022, meeting. During deliberations, the Commission asked about the impact of the proposed change to the proffered conditions on the City's sewer system capacity. The Interim Director of Public Works at the time stated that while the current water/sewer system could support this development, the new development would limit future development in the area. The Commission expressed concerns regarding a lack of home ownership, aging infrastructure, the capacity of the Poor Creek system, and the potential impact of the proposed change on the pharmaceutical cluster development. A representative of the Developer stated that the developers originally invested \$228,000 in a pump station to create capacity. This capacity was then thought to be more than enough for the apartments and the retail space. They further stated that in the past 11 years, there has been active promotion in trying to bring in a grocery store, office establishments, and other commercial development, but there has not been any interest from any retail or grocery store in the location. There is, however, demand for off-base housing from Fort Lee. They stated that they believe that they have developed the capacity for the sewer on this site through the previous investment. The Interim Director of Public Works stated that Petersburg has plenty of drinking water capacity, but not sewer capacity. The Commission voted to recommend denial of the petition.

The Developer requested that the item be presented to the City Council for consideration on December 13, 2022. The Developer submitted an amended development plan that replaces the proposed cottage-style residential units with structures like those in the existing development. The proposed new development would include the construction of five (5) structures with a total of 120 new units including 60 1-bedroom units and 60 2-bedroom units. Residents will have access to the amenities and facilities of the existing Aqua apartment community.

During the December 13, 2022, City Council meeting, the City Council referred the item back to the Planning Commission for consideration and a recommendation.

CURRENT CONDITIONS:

- I. **Zoning:** The subject property is zoned PUD, approved for both commercial and residential uses. Properties located along County Drive are zoned B-2, General Commercial, R-1A and R-1, Single-Family Residence District, M-1, Light Manufacturing District and M-2, Heavy Manufacturing District.

- II. **Land Uses:** The multi-family (apartment) use is currently developed at the site, known as “Acqua Luxury Apartments.” Similar uses along County Drive include County Line Apartments, Liberty Pointe, and Pinetree Apartments. Other uses on County Drive include a commercial strip shopping center, Roma Plaza Inc., (Roma’s Pizza) across County Drive, a two-story strip commercial building Northwest of the property, hotels, restaurants and single family residential. Many of the uses precede the annexation of the area properties from Prince George County in 1972. The I-95 and I-295 interchanges are near the subject property.

- III. **Comprehensive Plan:** The 2014 Comprehensive Plan Future Land Use Plan designates the subject properties as commercial, and other properties along County Drive as Low-Density Residential, Medium/High Density Residential, Commercial, Light Industrial, and Parks and Open Space.

- IV. **Other Findings:**
It is not anticipated that the proposed development will have an adverse impact on the adjacent uses.

It is not expected that the proposed development will increase noise beyond the property boundaries after construction. Noise levels would have to be in conformance with the City Code requirements related to noise.

The site is currently served by City water and sewer. As previously indicated by the Department of Public Works, the proposed development may impact the capacity of the City’s utility system, especially the Sewer System.

The proposed rezoning will allow for the development of currently vacant parcels of land thereby increasing and boosting tax revenue for the city.

The properties are located on a major corridor with a higher capacity for additional traffic. Traffic Impact will be considered and addressed during the Site Plan approval process, Land Disturbance Permit approval and Building Permit approval.

The subject property is not located within a Historic District.

V. City Code Compliance

Section 1. Purpose. The City Code Appendix B, Zoning, Article 26, “PUD” Planned Unit Development District, of the Zoning Ordinance of the City of Petersburg, Provides that Single-use zoning often has tended to constrain imaginative design for new community projects. The Planned Unit Development District, by offering developers the opportunity to overcome traditional zoning limitations, is intended to encourage innovative design approaches to large-scale subdivisions and commercial development. The purpose of this article is to establish procedures and standards for planned unit developments in order to achieve the following objectives: (1) Promote the use of land planning and design techniques that will result in the efficient, economical, and convenient arrangement of differing land uses, including residential and commercial, and their supporting infrastructure; (2) Encourage flexibility in design to retain natural land features, including but not limited to floodplains, steep slopes and unique geological formations as well as historical and archeological areas; (3) Provide the reservation of land for public or private community facilities, including open space for scenic and recreational use; and (4) Encourage the creation of a variety of residential uses and compatible neighborhood arrangements that give the home occupant greater choice in the selection of types of environment and housing units.

Section 2. Definition. A planned unit development is herein defined as a complete development scheme. This scheme should include development programs and plans for all land and structural improvements within the planned area and should be in accord with the comprehensive plan and other such guidelines and objective as may be established by the city council. Such development may be permitted on tracts of at least ten (10) acres which are under unified ownership or control.

VI. Exhibits

- 1) Tax Parcel Map Extract
- 2) Zoning Map Extract
- 3) Tax Assessor File Record
- 4) Comprehensive Plan 2014 Existing Land Use
- 5) Applicants Petition w/Exhibits
- 6) Applicants Project Summary attached to application