May 12, 2010 Public Hearing

APPLICANT: VIRGINIA BEACH CITY PUBLIC SCHOOLS
PROPERTY OWNER: WEST NECK LLC

STAFF PLANNER: Karen Prochilo

REQUEST: Change of Zoning (R-10 Residential District to AG-1 Agricultural District)

ADDRESS / DESCRIPTION: West side of West Neck Road, 380 feet south of North Landing Road

GPIN: 14937921020000
14946000930000
14945050090000

ELECTION DISTRICT: PRINCESS ANNE / 7

SITE SIZE: 108.8 acres

AICUZ: Less than 65 dB DNL

SUMMARY OF REQUEST

The applicant proposes to rezone the site, zoned R-10 Residential, to AG-1 Agricultural, returning the zoning to its former category, for the propose of constructing a new high school that will replace the existing Kellam High School located on Holland Road.

The site will have two access points on West Neck Road, aligning with ingress-egress features developed or planned for a planned development on the east side of West Neck Road. Landscape buffering varies in width along West Neck Road, and the school itself is positioned over 500 feet from the road. Faculty and staff parking is separated from student parking, with both set back from West Neck Road but convenient to the school building and athletic facilities. Bus parking is located in the rear. Athletic facilities surround the school building with parking nearby for those spectator activities. Existing mature trees will remain and additional buffering will be provided adjacent to residential areas.

The proposed school facility will be a two-story LEED (Leadership in Energy and Environmental Design) certified building. It will house 2,000 students and 125 faculty and staff members. In addition to a building
of approximately 300,000 square feet, the site will include parking, bus queuing area, football stadium, combination track and field area, baseball and softball diamonds, fields for soccer, field hockey and band practice. Additionally there will be tennis and hard surface play courts.

This proposed school will be the first in the nation to draw upon the Sustainable Sites Initiative and will serve as a case study for intelligent site development for schools located in agricultural areas. There will be continuing coordination with the Department of Parks and Recreation regarding multi-purpose trail connectivity and open space.

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**LAND USE AND ZONING INFORMATION**

**EXISTING LAND USE:** Partially developed residential site

**SURROUNDING LAND USE AND ZONING:**

- **North:**
  - North Landing Road
  - Single-family dwellings and vacant parcel / AG-1 and AG-2 Agricultural Districts

- **South:**
  - Undeveloped wooded parcel / AG-1 and AG-2 Agricultural Districts

- **East:**
  - West Neck Road
  - Single-family dwellings, church, proposed office development / AG-1 and AG-2 Agricultural Districts and O-1 Office District

- **West:**
  - Single-family residential development (Victoria Park) / R-20 Residential District

**NATURAL RESOURCE AND CULTURAL FEATURES:**

The site is located within the Southern Watersheds Management Area. Prior to the residential development, the site was primarily fallow agricultural fields with large wooded areas to the north and south. Some areas of non-tidal wetlands had been identified within the wooded areas. These areas of wetlands will remain undisturbed.

**IMPACT ON CITY SERVICES**

**MASTER TRANSPORTATION PLAN (MTP) / CAPITAL IMPROVEMENT PROGRAM (CIP):** West Neck Road in the vicinity of this proposal is a two-lane undivided minor suburban arterial. To the north of this site, West Neck Road widens to a four-lane divided section. There is a roadway improvement project in the CIP for West Neck Road. CIP Project #2.502 consists of three phases of interim safety improvements to West Neck Road as well as completing the design for ultimate improvements on West Neck Road.

The three phases of interim improvements are fully funded, with the following statuses:

- **Phase 1:** Installing a traffic signal at the intersection of West Neck Road and Indian River Road. A contract has been awarded and construction is anticipated to begin in mid-to-late May.
- **Phase 2:** Widening the lanes and shoulders on a section of curves between the proposed Kellam High School site and Signature Drive. Construction was completed on August 28, 2009.
Phase 3: Straightening sharp (~90°) curve between Signature Drive and Indian River Road. The City is in negotiations with the designer and Public Works/Engineering and intends to have road construction coincide with the building of the Kellam High School.

A project to construct the ultimate improvements for West Neck Road has not been programmed in the CIP as no funding is available. There is also no funding to complete the ultimate improvement design within Project #2.502, so plans remain at 35%. The 35% ultimate West Neck Road improvements were completed in August 2006 and show the following:

- West Neck Road as a divided four-lane roadway from North Landing Road south to Signature Drive.
- West Neck Road as a straightened, widened two-lane roadway from Signature Drive south to Indian River Road.
- Bicycle lanes in both directions for the full length of West Neck Road from North Landing Road to Indian River Road.
- 8’ multi-use shared paths on both sides of West Neck Road for its full length from North Landing Road to Indian River Road.
- A 45 mph design speed.

Right-of-way acquisition has been completed for the Phase 1 and 2 interim improvements. Right-of-way acquisition will be required for the Phase 3 interim improvement and will be required in the future for the ultimate improvements.

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<th>TRAFFIC:</th>
<th>Street Name</th>
<th>Present Volume</th>
<th>Present Capacity</th>
<th>Generated Traffic</th>
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<tbody>
<tr>
<td></td>
<td>West Neck Road</td>
<td>3,149 ADT</td>
<td>13,600 ADT (Level of Service “C”)</td>
<td>Existing Zoning – 1,120 ADT</td>
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<td>15,000 ADT (Level of Service “D”)</td>
<td>85 AM peak hour trips</td>
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<td>113 PM peak hour trips</td>
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<td>Proposed Land Use – 3,030 ADT</td>
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<td>840 AM peak hour trips</td>
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<td>580 PM peak hour trips</td>
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Traffic Engineering has reviewed the Traffic Impact Study (TIS) for the Kellam High School Relocation, dated March 2010 by Kimley-Horn and Associates. Traffic Engineering substantially agrees with the assumptions and analysis presented in the TIS with the following summary of conclusions from the TIS:

A. The TIS assumes for the opening year of the new school that Nimmo Parkway will be built. This assumption is based on the fact that Nimmo Parkway is included in the Princess Anne Road Phase IV and Nimmo V projects. The Princess Anne Road project is currently advertised and scheduled to begin construction in mid-2010 and the Nimmo Parkway Phase V project is scheduled to be under construction in 2011. This assumption affects the trip assignment of buses and students at the North Landing/West Neck Road intersection.

B. The TIS describes how the afternoon peak period for the high school (2:00-4:00 p.m.) occurs before the peak hour for West Neck Road (5:00-6:00 p.m.), meaning that the school will have very little impact on the true peak hour for traffic using West Neck Road.
C. The TIS shows that in the 2015 high school opening year, West Neck Road will operate at a Level of Service C during the afternoon peak hour.

D. The intersection analysis in the TIS shows that all of the signalized intersections along North Landing in the study area will operate at acceptable levels of service with Kellam High School located on West Neck Road. The TIS indicates that there may be some delays at the school entrances during the morning and afternoon load/unload peak periods, but these 15-30 minute periods are typical for this type of land use and will be mitigated to some extent by school crossing guards.

E. The TIS describes and graphically shows roadway improvements to West Neck Road that will be built with the new Kellam High School. These roadway modifications are intended to improve the traffic safety and capacity on West Neck Road in the area of the proposed school site. These improvements include adding a second through lane in each direction and a raised median on West Neck Road to the southern school property line, adding left and right turn lanes on West Neck Road at both of the proposed access points, and separate right and left turn lanes on the school exits to West Neck Road. School Zone flashing beacons will be added with the school project to slow traffic on West Neck Road during the morning and afternoon loading and unloading periods.

Traffic Engineering provides the following comments regarding TIS recommendations:

1. For the intersection of North Landing and West Neck Road, a recommendation should be made to extend the existing westbound left turn lane in the available pavement on North Landing Road. This improvement will be critical in the interim period after the school is opened and before Nimmo Parkway Phase V is completed. The improvement can be completed by removing the existing gore markings and replacing them with the extended left turn lane markings. Traffic Engineering recognizes that in this interim period, the westbound left turn lane may still queue up into the through lane during the peak 15 minutes of school traffic arrival.

2. For the proposed north driveway/West Neck Road intersection, Traffic Engineering would like to comment that negotiations are ongoing between Public Schools, Public Works and the property owners to the east in the vicinity of the proposed median break so that shared access to the proposed median opening can be explored.

**WATER:** This site must connect to City water. There is a 12-inch City water line in West Neck Road. There is a 16-inch City water main in North Landing Road.

**SEWER:** This site must connect to City sanitary sewer. Analysis of Pump Station #636 and the sanitary sewer collection system is required to ensure future flows can be accommodated. No buildings can be constructed over the existing gravity sanitary sewer line on the site currently. Relocation of the existing gravity sanitary sewer may need to be done depending on the building location. There is an 8 inch City gravity sanitary sewer in an easement transecting the site. There is a 12-inch to 16-inch City gravity sanitary sewer main and a 10-inch City force main in West Neck Road.

**PARKS and RECREATION:** The previously approved residential development plan depicted a perimeter trail through the wooded area on the south side of the property. This trail was to connect the neighborhood of Victoria Park to West Neck Road. Victoria Park has indicated that they are no longer in support of the trail connection; however, the Department of Parks and Recreation recommends the opportunity for a future trail be maintained since neither sidewalks exist along North Landing Road nor are there plans to improve the road and install sidewalks.
Tennis courts proposed for the site will be for public use and will be lighted.

**DEVELOPMENT SERVICES CENTER:** Based on the previously approved development for this site, stormwater management facilities and a portion of the underground storm drain system have been installed on the subject site to serve the adjacent residential development. The conceptual plan indicated a structure over an existing 48-inch storm drain pipe and proposed athletic fields and parking lots over the location of existing retention ponds. Clarification of these issues will need to be addressed at the time of site plan review.

### EVALUATION AND RECOMMENDATION

Virginia Beach City Public Schools (VBCPS) underwent a lengthy site selection process for the relocation of Kellam High School. Through a process of elimination, the subject site was selected. This property was previously the location of a proposed residential development of 108 single-family dwelling units.

Once the site was selected, a process was developed by VBCPS to involve the community and stakeholders. This process included neighborhood and community association meetings, discussions with local farmers, landowners and environmentalists, partnering with Kellam High School staff and students, as well as with local leaders recognizing the agricultural heritage of the area.

Prior to the applicant’s professional design team beginning drawings for this proposal, a series of site design and building design charrettes were held. The applicant invited representatives of the neighboring residential developments, adjacent property owners, as well as City staff and school members to participate in a series of meetings relating to the design of the new Kellam High School.

The points of view from the various groups pertaining to building and athletic field placements, buffering, sustainability, noise, lighting, bus loading, parking, and access led to a final conceptual plan that the majority were able to support.

This request represents a major change from a previously approved private residential development plan to a public use. Staff compared the relative differences of the adaptive re-use of the site. This proposal, retains the sensitivity to the issues of the adjacent neighbors while functioning well for the students and faculty. The plan preserves a majority of the treed areas for buffering of properties, as well as for use by the school as potential outdoor learning sites.

Access to the site was coordinated with the proposed office development and the church on the opposite side of West Neck Road. The church and office development are working to consolidate an entrance with assistance from the school to allow access to a median break at one of the school entrances. The proposal allows for the opportunity of VBCPS partnering in improvements to West Neck Road.

In sum, Staff recommends approval of this rezoning. While arguably, this may not be the best location for a new high school, it does offset impacts looming as part of a previous residential rezoning. An extensive public involvement process and thoughtful site design and architectural approach has resulted in a plan which can be supported. It is important that as the development processes move forward, the internal...
property lines be vacated prior to site plan approval and that VBCPS continue to coordinate with the Department of Parks and Recreation regarding the opportunity for trails or sidewalks where appropriate, as well as the public use of athletic facilities.

NOTE: Further conditions may be required during the administration of applicable City Ordinances and Standards. Any site plan submitted with this change of zoning application may require revision during detailed site plan review to meet all applicable City Codes and Standards. All applicable permits required by the City Code, including those administered by the Department of Planning / Development Services Center and Department of Planning / Permits and Inspections Division, and the issuance of a Certificate of Occupancy, are required before any uses allowed by this change of zoning are valid.

The applicant is encouraged to contact and work with the Crime Prevention Office within the Police Department for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts and strategies as they pertain to this site.
1 04/08/08 Conditional rezoning from AG-2 to O-2 Granted
2 10/10/06 Conditional rezoning from AG-2 to O-1 Granted
3 08/24/04 Conditional rezoning from AG-1/AG-2 to R-10 Granted
4 03/04/03 Conditional rezoning from AG-1/AG-2 to R-30 with a Conditional Use Permit (open space promotion) Granted
5 07/03/01 Conditional Use Permit (preschool / daycare) Granted
6 09/09/97 Conditional Use Permit (church/ daycare) Granted
6 05/11/99 Conditional rezoning from AG-2 to P-1 and PDH-1 Granted
DISCLOSURE STATEMENT

APPLICANT DISCLOSURE
If the applicant is a corporation, partnership, firm, business, or other unincorporated organization, complete the following:
1. List the applicant name followed by the names of all officers, members, trustees, partners, etc. below: (Attach list if necessary)

VIRGINIA BEACH CITY PUBLIC SCHOOLS

2. List all businesses that have a parent-subsidiary or affiliated business entity relationship with the applicant: (Attach list if necessary)

☐ Check here if the applicant is NOT a corporation, partnership, firm, business, or other unincorporated organization.

PROPERTY OWNER DISCLOSURE
Complete this section only if property owner is different from applicant.
If the property owner is a corporation, partnership, firm, business, or other unincorporated organization, complete the following:
1. List the property owner name followed by the names of all officers, members, trustees, partners, etc. below: (Attach list if necessary)

2. List all businesses that have a parent-subsidiary or affiliated business entity relationship with the applicant: (Attach list if necessary)

☐ Check here if the property owner is NOT a corporation, partnership, firm, business, or other unincorporated organization.

1 & 2 See next page for footnotes

Does an official or employee of the City of Virginia Beach have an interest in the subject land? Yes ☐ No ☑
If yes, what is the name of the official or employee and the nature of their interest?
ADDITIONAL DISCLOSURES

List all known contractors or businesses that have or will provide services with respect to the requested property use, including but not limited to the providers of architectural services, real estate services, financial services, accounting services, and legal services: (Attach list if necessary)

WFL
HEA ARCHITECTS, INC.
KIMTEY-HORN & ASSOC.

1 "Parent-subsidiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

2 "Affiliated business entity relationship" means "a relationship, other than parent-subsidiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person owns or manages the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

CERTIFICATION: I certify that the information contained herein is true and accurate.

I understand that, upon receipt of notification (postcard) that the application has been scheduled for public hearing, I am responsible for obtaining and posting the required sign on the subject property at least 30 days prior to the scheduled public hearing according to the instructions in this package. The undersigned also consents to entry upon the subject property by employees of the Department of Planning to photograph and view the site for purposes of processing and evaluating this application.

[Signatures]

Anthony L. Arnold  
Print Name

Jeffrey A. Benson  
Print Name