

## Walmart; ORANGE COUNTY, VIRGINIA

### PROJECT NARRATIVE LARGE RETAIL USE SPECIAL USE PERMIT

Landowner: 3 & 20 Limited Partnership  
Applicant: JDC Ventures, LLC

County of Orange Tax Map Nos. 02400000000080  
and 02400000000100 (the "Property")  
Site Area: 51.56 acres (approx.)

March 13, 2009

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#### PROPOSAL

This narrative has been prepared in conjunction with an application by JDC Ventures, LLC (the "Applicant") for a Special Use Permit (a "SUP") to allow for the construction of a Large Retail Use, as defined by the County of Orange (the "County") Zoning Ordinance pursuant to a recent amendment.

The property to be subject to the SUP is located in Voting District Four, and consists of approximately 51.56 acres (the "Property"), as shown on the Special Use Permit Plan submitted with this application. The Property, located on the north side of State Route 3, just north of its intersection with State Route 20, is zoned C-2 (General Commercial District).

The project includes the construction of an approximate 133,481 square foot Walmart store (plus 4,748 square feet of outdoor garden center) containing general retail sales, personal services, and a garden center. As indicated on the SUP Plan, there may be additional future retail stores constructed on separate sites adjacent to the Walmart store. Improvements related to the proposed development will include a public access road extending to the adjacent property, the required parking area, site access improvements, and utilities.

## LAND USE

The Property is designated an “Economic Development” area by the “Future Land Use Map 2025” included in the County’s Comprehensive Plan. “Economic Development” areas are described under the Comprehensive Plan as follows:

The Economic Development land use category includes areas of the county that are planned for economic development (including commercial, office space, and industrial development). The intention of the economic development area is to identify areas available for location of businesses that will provide employment to the residents of Orange County and increase the business tax base while not detracting from the overall rural character of the county. The areas designated for economic development have good transportation connectivity to other businesses in the region. The areas of the county intended for economic development use are in the eastern section of the area north of Route 3, as well as the industrial park and other properties zoned for industrial use along Route 15 between the towns of Orange and Gordonsville (page 92).

The proposed Large Retail use is consistent with the referenced Comprehensive Plan future land use designation for this portion of the County. Specifically, a Large Retail use will generate significant economic benefits and increase the County’s non-residential tax base. Additionally, the location of the proposed development in an area of the County zoned for commercial uses, and specifically designated for further commercial development is consistent with the Comprehensive Plan. Regarding the rural character of the County, the Walmart store is also designed and buffered in a manner that is respectful of its surroundings. Indeed, the Board of Supervisors, with this specific site in mind (and with knowledge of our proposal), recently adopted a set of design guidelines to govern commercial retail uses larger than 60,000 square feet. Walmart’s architects held several work sessions with County officials to develop a project that is consistent with these retail use design guidelines, the zoning, and the Comprehensive Plan. Buffering, which is intended to preserve existing trees and to supplement existing vegetation where necessary, is proposed along the front of the site. Further, an approximate 17.55 acre portion of the site, closest to the National Park (behind the existing 7-11 store) is proposed for preservation in its existing state. Finally, the size of the Walmart store has been reduced, and the store exterior designed with this specific location in mind.

Please note that the proposed Walmart store also fully conforms to the bulk requirements of the C-2 district. Specifically, the development includes a floor area ratio of 0.06 (not including any future retail development on adjacent pad sites), a proposed maximum building height of 38 feet, and sufficient setback, landscaping and buffer areas.

Finally, the development will be phased (the Walmart store constituting Phase I), with the necessary transportation and utility improvements constructed for the overall development in conjunction with the construction of the Walmart store.

## COMMUNITY DESIGN

In reviewing a SUP application for a Large Retail Use, the Planning Commission and Board of Supervisors are guided by the recommendations of the County's *Large Retail Use Design Guidelines* (the "Guidelines"). The proposed development, as shown on the SUP Plan, complies with the Guidelines, and incorporates an aesthetically pleasing, community-sensitive design.

An approximate 17.55 acre portion of the overall site is not proposed for development. Additional open areas will be provided on-site, as well as the required parking lot and open space vegetation. Landscaping and buffers will be provided to minimize any impact to surrounding properties. Additionally, where possible, existing vegetation will be preserved as part of the proposed buffer area along Route 3.

Building elevations and signage details are provided in the SUP Plan package. The Walmart store will utilize natural, muted colors, and will incorporate planters, variations to the front façade and roof line, and various other architectural features to add interest and variety to the building design. A monument sign and appropriately-scaled building signage is also proposed.

As an additional feature, the site will include a central green area that will traverse the middle of the parking lot, from the front of the building to the far end of the parking lot. This attractively landscaped green area will contain a meandering pathway for pedestrian use.

Finally, it is important to note that the Walmart store will be set back approximately 1,200 feet (nearly a quarter of a mile) from Route 3, further mitigating any visual impacts the development may have on motorists or adjacent properties.

## CULTURAL RESOURCES

A Phase I and II Cultural Resources Investigation, completed by Dovetail Cultural Resource Group ("Dovetail") and dated March 2009, determined that the archaeological sites located on the Property "did not warrant further investigation because of their inability to provide significant historic data that would contribute to the overall understanding of the history of the area". Further, Dovetail concluded that "there is no evidence that any battles or skirmishes or long-term encampments occurred on the current project parcel".

## ECONOMIC DEVELOPMENT

The proposed development will positively impact the County's economy by generating substantial tax revenues and creating a significant number of new jobs. In this way, the proposed development will further the County's goal (as set forth in the Comprehensive Plan) of providing a variety of employment opportunities that are beneficial to both residents and the local economy (page 63). Additionally, it is important to note that, because of the commercial nature of this project, the positive economic impacts described herein will not be accompanied by the strain on County services typically associated with residential development.

## **ENVIRONMENT**

The proposed plan will avoid wetlands and other environmental features. In fact, an approximate 17.55 acre portion of the overall development site (which constitutes approximately 1/3 of the overall 51.56 acres) is not proposed for development. For additional environmental information, please see the attached Environmental Constraints Analysis (ECA).

## **FIRE AND RESCUE**

The proposed Walmart building will be fully sprinklered, and will be served by either: (1) an on-site pump/water storage tank system designed to meet both the County's and Walmart's internal standards for fire flow; or (2) a regional public tank, should one be made available to serve the proposed project at the time of commencement of construction. The on-site pump and tank would be designed to accommodate both Phase I and Phase II development. Fire department connections to the building and fire hydrants will be located and spaced as required under applicable building/fire codes. Additionally, the site has been designed to accommodate WB-67 trucks (53' trailers), which is beyond that required under applicable codes for fire truck and emergency vehicle access. Finally, Volunteer Fire and Rescue Station #29 is located just off of Route 3, approximately two (2) miles to the north of the site.

## **HOUSING**

The proposed development will have no direct impact on the County's housing stock, or any surrounding residential developments. In fact, the economic benefits of the proposed retail store will provide additional tax revenues that may offset potential strain on County services resulting from residential development in other parts of the County.

## **LIBRARIES**

The proposed development will have no impact on the County's library system.

## **MAINTENANCE PLAN**

The proposed Walmart store will comply with the following site maintenance plan:

- a. Building finishes shall be maintained substantially in their original condition. Applied colors shall be reapplied regularly to maintain their consistency. The building shall be secure and structurally sound, and shall be maintained in compliance with applicable building code requirements.
- b. All landscape materials and areas shall be maintained as established in the approved final site plan. Mowing and mulching shall be performed on a regular basis during the growing season, and as necessary during the non-growing season.
- c. All parking areas and surfaces shall be maintained as established in the approved final site plan. Maintenance to striping and directional signage shall be performed as necessary to maintain an appropriate appearance.

- d. In the event the Walmart store is vacant, the Applicant and/or owner shall maintain the building finishes, landscaping and parking areas in the above described manner.
- e. The Applicant and/or owner shall remove any graffiti from the property. "Graffiti" is defined as any inscription or marking on walls, buildings or structures not permitted by Orange County sign regulations. Access to the roof shall be designed to prevent scaling of walls by keeping dumpsters away from walls, covering or enclosing of drainpipes, and other measures.
- f. Trash and refuse shall be removed regularly from the property.

#### **PARKS AND OPEN SPACE**

The proposed development will have no impact on the County's park system. As previously noted, an approximate 17.55 acre portion of the overall site is not proposed for development. The development will also include enhanced buffers along Route 3, pedestrian features, and exterior landscaping to mitigate visual impacts along the Route 3 corridor.

#### **POLICE**

The Property will be served by the Orange County Sheriff's Office, located at 11350 Porter Road. No substantial impact on County police services is anticipated. Walmart will provide sufficient security, including trained security personnel, video cameras/related technologies, and principles of crime prevention through environmental design (such as natural surveillance and natural access control) to monitor and protect customers and employees throughout the Property.

#### **POTABLE WATER**

Water supply will be provided by the Rapidan Service Authority (RSA) via an existing twelve (12) inch PVC waterline that runs along the north side of Route 3, and crosses to the south side of Route 3 as an eight (8) inch line near the Property. The proposed development will connect to this existing waterline utilizing an indirect pumping arrangement. Water pressure will be controlled by an elevated water treatment tank located approximately two (2) miles northwest of the site, and an additional tank located approximately one-and-a-half (1.5) miles to the northeast. From preliminary studies and discussions with RSA, it appears that the existing system is adequate for the domestic potable water flows.

#### **SCHOOLS**

No impact on the County's school system is anticipated. Instead, the tax revenue generated by the proposed development will help offset potential financial impacts on the school system related to residential development in other parts of the County.

#### **SEWER**

Sewer treatment for this site will be provided by the RSA Wilderness Wastewater Treatment Plant (WWTP). Wastewater from this site will be routed through four (4) existing RSA pump stations (including Pump Station 20 by way of a single line crossing

under Route 3). From preliminary studies and discussions with RSA, upgrades to several nearby RSA Pump Stations may be necessary. These upgrades would be provided by the Applicant in coordination with RSA during final engineering and the site plan review process.

#### TRANSPORTATION

The proposed development has been studied by the traffic consulting firm of Gorove Slade Associates, Inc. A copy of the prepared Traffic Impact Analysis (TIA), dated November 19, 2008, revised through March 5, 2009, has been submitted to the County. All recommended improvements listed below will mitigate the transportation impacts of the proposed development.

- Add a dedicated right turn/deceleration lane westbound on Route 3 from Wilderness Run to the relocated right-in/right-out middle access point, and from the relocated right-in/right-out middle access point to the westernmost proposed site access point;
- Change the eastbound free flow right lane to a controlled stop for traffic turning right onto Route 20 southbound from Route 3 eastbound, by re-striping;
- Add a left turn bay at the intersection of Route 3 and Route 20 for traffic leaving the development and turning left onto Route 3 eastbound;
- Modify existing medians located at the Intersection of Route 3 and Route 20 in order to comply with current VDOT standards;
- Modify signal timing at major signalized intersections within 2 miles of proposed development;
- Modify signal at the intersection of Route 3 and Route 20;
- Shift existing right-in/right-out access west along Route 3, farther from the intersection of Route 3 and Route 20;
- Escrow funds for a second left turn bay for traffic turning left from Route 3 westbound into the Lake of the Woods subdivision;
- Add a left turn bay for traffic turning left into the westernmost access from Route 3 eastbound;
- Include sidewalks connecting the entire site;
- Include inter-parcel connections to connect the Walmart store and pad sites to the existing 7-11/Bank pads and the proposed Wilderness Crossing Development located to the west of the project site.

A Chapter 527 traffic impact study has been submitted with this application. The proposed development generates over 250 peak hour trips and therefore requires a Chapter 527 traffic study. The traffic study shows the transportation impacts associated with existing, future without the proposed development and future with the proposed development (build years 2010 and 2012). In addition, a plus six year development scenario was incorporated into the study for planning purposes.