



REZ2018-00012

Stanley Martin

Staff Report for Board of Supervisors Public Hearing
Prepared March 30, 2018

This report is prepared by the Henrico County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this application. It may also be useful to others interested in this land use matter.

I. PUBLIC HEARINGS:

Planning Commission:	March 15, 2018	Recommended for approval
Board of Supervisors:	April 10, 2018	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning:	R-6C General Residence District (Conditional)
Existing Zoning:	M-1 Light Industrial District and R-3 One-Family Residence District
Total Acreage:	13.49
Proposed Use:	Condominium development of up to 200 units
Location:	Northwest intersection of West Broad Street (U.S. Route 250) and Willard Road
Magisterial District:	Tuckahoe
2026 Comprehensive Plan Recommendation:	Commercial Arterial W. Broad Street Corridor - Central Revitalization/Reinvestment Opportunity Area
Parcel Nos.:	765-748-4555 and part of 765-749-6000
Zoning of Surrounding Properties:	North: R-3 One-Family Residence District South: M-1 Light Industrial District East: M-1 Light Industrial District West: R-3 One-Family Residence District

III. SUMMARY OF STAFF REPORT:

This request is to conditionally rezone 13.49 acres to allow the development of a residential condominium community with a maximum of 200 units. The majority of the site is zoned M-1 Light Industrial District, with approximately 1.8 acres zoned R-3 One-Family Residence District. A large portion of the site is currently used for a used car dealership. This use and the existing zoning are reflected in the site's Commercial Arterial designation on the 2026 Comprehensive Plan. Approximately 4.4 acres of the larger parcel located along W. Broad Street would remain zoned M-1 and is planned to be redeveloped for new retail uses.

A community meeting was held February 23, 2018. At that meeting nearby residents and business owners expressed general support of the request. At the Planning Commission's public hearing, nearby residents expressed concerns regarding buffering, hours of construction, building height, and the location of amenities within the community. Based on these concerns, the applicant has revised their request to address additional concerns regarding the hours of construction and the buffer along the western property line.

This request is not fully consistent with the recommendations of the 2026 Plan; however, the proposed development is in close proximity to commercial uses and major transportation corridors and could complement the other recent residential development in the area. Additional residential uses on the subject property could also support retail and service uses in this portion of the W. Broad Street corridor, which have faced challenges in recent years. Redevelopment would also support the vision of the W. Broad Street Corridor – Central Revitalization/Reinvestment Opportunity Special Focus Area, which indicates integration of new development could be appropriate and help modernize the existing development pattern. The submitted proffers would provide commitments consistent with other recent developments of this type and have been revised to address concerns raised at the Planning Commission's public hearing. For these reasons, staff supports this request. The Planning Commission recommended approval of this request at their March 15, 2018 meeting.

IV. LAND USE ANALYSIS AND IMPLICATIONS:

The majority of the subject property is zoned M-1, with the eastern portion containing part of an automobile dealership that fronts W. Broad Street. Other properties in the area are generally zoned M-1 and B-3, and are used for various retail, office, and light industrial/warehousing purposes. A small portion of the subject site, approximately 1.8 acres, is zoned R-3, as is the Whispering Pines subdivision to the west.

The developed portion of the subject property contains approximately half of the automobile dealership that was originally constructed in 1979. It is currently a used car dealership, which would be removed as part of this request. The undeveloped portion of the site, which separates the auto dealership from the adjacent subdivision, is largely wooded and slopes downward to the west, which means the western property line is approximately 30' lower than W. Broad Street. Willard Road forms the southern boundary of the site and provides access to the subdivision from W. Broad Street, where there is an existing traffic signal. Located across Willard Road to the south is an area of small industrial and warehouse buildings containing a variety of uses. Those properties, like the subject site, are zoned M-1 and contain no additional limitations regarding items such as permitted uses and hours of operation.

The existing zoning and pattern of development are reflected in the site's Commercial Arterial designation on the 2026 Future Land Use Map. This designation denotes areas intended to accommodate wholesale and retail sales and service establishments. Recent retail trends, and increasing retail vacancies in nearby areas, mean alternative uses complementing this portion of

the W. Broad Street corridor could be appropriate. The site is also located within the W. Broad Street Corridor – Central Revitalization/Reinvestment Opportunity Special Focus Area, which promotes revitalization of the area through redevelopment that is integrated into the existing pattern of development in a manner that responds to the current demands of businesses and the community.

For this reason, the applicant has proposed redeveloping a portion of the existing automobile dealership as well the undeveloped portion of the site into a residential community. As part of their request, the applicant has submitted proffers that would regulate development on the subject property. They include a commitment to develop the site in conformance with the submitted conceptual plan, and detail items such as perimeter buffers, interior roadways, signage, hours of construction, community amenities, and underground utilities. The proffers are generally consistent with those accepted with other recent developments of this type and include enhanced buffers adjacent to existing residences to the north and west.

The proffered concept plan shows how a maximum of 200 residential units would be developed, resulting in an equivalent density of 14.8 units per acre. This level of development would provide a transition from the existing retail corridor along W. Broad Street to the residential community to the west. The condominiums would be “two over two” style buildings, where two, two-story units are stacked on top of one another. As shown on the conceptual plan, the development would contain a central green space and pavilion, as well as walking trails and sidewalks connecting various project areas, including sidewalks in front of each building and along Willard Road. Residential units would be served by alleys to the rear, and face the perimeter of the property, meaning the view from adjacent roadways and properties would be of the front of the buildings, rather than the rear elevation where garages would be located. The remaining portion of the site, containing approximately 4.4 acres and fronting W. Broad Street, would be redeveloped for new retail uses and is not subject to this request.

At the Planning Commission’s public hearing, nearby residents expressed concerns regarding buffers, hours of construction, building height, and the location of amenities within the community. The proposed condominiums would be four stories tall and would be located on land rising away from the adjacent residential neighborhood to the west. This would create a disparity in height between the proposed development and existing community; however, the closest existing home would be approximately 120’ from the nearest condominium building, and the location of the proposed stormwater facilities and enhanced landscaped buffers should provide additional separation between the existing homes and new community. Additionally, based on discussions at the public hearing, the applicant has revised the conceptual plan and proffers to relocate the planned pedestrian trail farther from the existing neighborhood and has provided a fence along the site’s western property line. Hours of construction on Saturday have also been reduced.

Public facility impacts from the proposed development appear to be minimal. The Department of Public Works has indicated minor improvements to the adjacent road network would be necessary. Henrico County Public Schools has indicated impacted schools could accommodate the students anticipated to occupy this community in the future through existing capacity or projects identified in the current Capital Improvement Program.

This request is not consistent with the recommendations of the 2026 Comprehensive Plan; however, it is anticipated the proposed residential use would have fewer negative impacts on adjacent properties than could occur given the existing unconditional M-1 zoning. Additionally, impacts on public services can be accommodated, and the commitments provided by the applicant would provide for a level of development not otherwise possible. For these reasons, staff supports this request. The Planning Commission recommended approval of this request at their March 15, 2018 meeting.

V. COMPREHENSIVE PLAN ANALYSIS:

2026 Comprehensive Plan Recommendation:

The 2026 Comprehensive Plan recommends Commercial Arterial for the subject property. This request is not consistent with this designation; however, the proposed development could help support the vision of the W. Broad Street Corridor – Central Revitalization/Reinvestment Opportunity Special Focus Area.

Vision, Goals, Objectives and Policies:

This request is consistent with the following Goals, Objectives and Policies of the 2026 Comprehensive Plan:

- Land Use & Community Character Objective 9: Promote diverse housing types that meet the needs of a demographically diverse population.
- Land Use & Community Character Objective 13: Provide for the logical arrangement of land uses which offers transitions from more intense to less intense uses.
- General Development Policy 6: Encourage compatible infill, redevelopment and development in proximity to existing development and services when appropriate to avoid “leap frog” growth patterns which may result in higher service costs.

VI. PUBLIC SERVICE AND SITE CONSIDERATIONS:

Major Thoroughfare and Transportation:

The following is the approximate number of new trips expected by the development of a 200 unit condominium development:

Total Weekday Trips = 1460 (730 in, 730 out)

Two access points onto public roadways must be constructed with this development. A right turn lane will need to be constructed on Broad Street at the access point. Willard Road will need to be widened to its ultimate width with curb and gutter and associated drainage improvements. Adequate sight distance must be demonstrated at the access points.

Drainage:

All proposed improvements must comply with all applicable Public Works plan of development requirements. The site is located within 50/10 detention area and must comply with applicable regulations. The site must comply with applicable stormwater quality and quantity requirements. No more than 82 residential units are allowed upon a single access point. Traffic Engineering will determine if any right-of-way dedication or road improvements are required. Based on GIS, Waters of the U.S. and/or hydric soils are present (indicating possible wetlands). Corps of Engineers and DEQ permits may be required.

Public Utilities:

County water is located in Willard Road. County sewer is located in Willard Road at the intersection of Grenoble Road, and the intersection of Waco Street.

Division of Fire:

Road widths and turning radii will need to meet the Virginia Statewide Fire Prevention code requirements. Specifically, emergency vehicle access and aerial operations road width requirements.

Schools:

The plan allocates 200 residential condominiums. The lots will be in the following attendance zones:

School Level	School Name	2017 Membership	Functional Capacity	Condominium Student Yield Ratios Per 100 units	Total Student Yields*
Elementary	Skipwith	548	506	5.2	10
Middle	Quioccasin	1,060	1,356	2.0	4
High	Tucker	1,733	1,958	3.8	8

**Note. At development build out.*

Student yield information is created using student yield data for similar developments. Tuckahoe District, per 100 units, condominium yield 5.2 elementary school students, 2.0 middle school students, and 3.8 high school students.

Based on September 30, 2017 membership and capacity figures shown above, Skipwith Elementary is currently at 108% of capacity. The analyses shown above indicates the proposed development would potentially yield an additional 10 elementary school students. Over the next five years, membership/capacity ratios for Skipwith Elementary are expected to continue to exceed 100%. Skipwith Elementary currently has one trailer for capacity. Trailers, redistricting, and/or other elementary capacity relief options will be needed in this area. An 8 classroom addition has been proposed in the 5-year Capital Improvement Program to provide capacity relief to this area of the county based on membership forecasts. Quioccasin Middle is currently at 78.2% of capacity. The analyses shown above indicates the proposed development would potentially yield an additional 4 middle school students. This development along with other known new development in this area of the county can be accommodated at the middle school. Tucker High is currently at 88.5% of capacity. Over the next five years, membership/capacity ratios for Tucker High are expected to exceed 100% as larger cohorts and new developments impact the school's membership. The analyses shown above indicates the proposed development would potentially yield an additional 8 high school students. Trailers, redistricting and/or other capacity relief options will be needed in the future.

Division of Police:

No comments on this request.

Recreation and Parks:

No park or recreation facilities, historical, archeological or battlefield impact.

Libraries:

This request falls within the service area of the Libbie Mill Library that was part of the 2005 bond referendum. This facility, opened in October 2015, offers expanded meeting, study, and conference room space; digital media lab; enhanced children's and teens' space plus a drive up pickup/drop off services. In addition, this facility is designed to be expandable from its present 40,000 sq. ft. to 60,000 sq. ft. to meet increased service demands.

As these types of development continue to be built and the population in the area continues to grow, the Libbie Mill Library is also projected to offer Sunday hours as another way to meet future increased service demands.

Topography and Land Characteristics Adaptability:

There are no known topographic reasons why the property could not be developed as proposed.



Proffers for Conditional Rezoning (Supplemental)

County of Henrico, Virginia

4301 E. Parham Road, Henrico, Virginia 23228

Henrico Planning Web Site: <http://www.co.henrico.va.us/planning>

Mailing Address: Planning Department, P.O. Box 90775, Henrico, VA 23273-0775

Phone (804) 501-4602

Facsimile (804) 501-4379

each unit shall include at least two (2) windows. Buildings constructed on the Property shall generally be in conformance with Exhibit B (see case file) dated December 20, 2017, and attached hereto and by this reference made a part hereof, unless otherwise approved by the Planning Commission at the time of Plan of Development review.

6. **Building Materials.** All buildings shall have exposed exterior walls (above grade and exclusive of trim) of stone, stone veneer, brick, hardi-plank, vinyl or a combination of the foregoing unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development review. A minimum of thirty (30) percent in the aggregate for each unit and an average of thirty-five (35) percent in the aggregate for all units, of the exterior portions of the front building wall surfaces of each building, excluding windows, doors, breezeways, gables and architectural design features, shall be of brick, stone or stone veneer construction.
7. **Chimneys.** The exposed portions of all fireplace chimneys shall be of brick, stone, cultured stone, or siding similar to the exterior treatment of the building. The exposed bases of all chimneys shall be of the same material as the dwelling foundation. This proffer shall not apply to direct-vent gas fireplaces or appliances.
8. **Foundations.** The exposed exterior portions of all foundations below the first floor level shall be finished with brick, stone or cultured stone. On the front, side and rear elevations of each building, there shall be a minimum of twelve (12) inches of brick, stone or cultured stone visible above grade. For reasons associated with required site grading, the requirements of this proffer may be modified or waived by the Director of Planning for individual side or rear facades.
9. **Foundation Planting.** Each ground floor unit shall have a minimum of four (4) shrubs planted in the front planting bed.
10. **Exterior Lighting.** Each home shall have exterior wall lights at the front door. Any pole mounted lights provided in the front yard of any lot shall be wired separately to allow such lights to stay on at night, shall not exceed 6 feet in height and shall be of a decorative, residential style. Street lighting parking lot lighting, and common area lighting shall be of a decorative, residential style and not to exceed 15 feet in height. Any lighting on the rear of a home shall be produced from concealed sources of light (such as shoebox type fixtures), and shall be directed to minimize glare on public roads and adjacent properties.



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11. **Construction.** The hours of exterior construction activities, including operation of bulldozers and other earthmoving equipment shall be between 7:00 a.m. and 7:00 p.m. Monday through Friday and 7:30 a.m. and 5:00 pm. on Saturdays, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours and utility connections. Signs, in both English and Spanish, stating the above-referenced

provisions, shall be posted and maintained at all entrances to the Property prior to any land disturbance activities thereon.

12. **Roads.** Prior to the issuance of any Certificate of Occupancy, the applicant shall provide the Planning Department with certification from a licensed engineer that the built roadways within the project were constructed according to the approved subdivision plan, and in compliance with Henrico County road design standards and specifications (except as to pavement width, turning radii, cul-de-sac dimensions, curb type, and underdrains), to include proper compaction of the sub-base soils, utility trenches, base stone, and asphalt surface. The internal roadways shall be private and shall be maintained by the Association.
13. **Garages.** Each dwelling unit shall have a minimum of a one (1) car attached garage.
14. **Driveways.** Driveways shall be constructed of either cobblestone, brick, asphalt, pre-cast pavers, concrete or other similar materials approved by the Director of Planning.
15. **Sidewalks.** A continuous sidewalk a minimum of four (4) feet in width shall be provided in front of all buildings. A sidewalk constructed to Henrico County standards shall be constructed along the boundary line of the Property with Willard Road.
16. **Trash.** There shall be no central trash receptacles.
17. **Entrance Feature.** Any detached entrance sign shall be ground mounted monument-style and not exceed 10 feet in height.
18. **Common Amenities.** A central recreational gathering and multi-use area shall be built on the Property in the area generally as shown on the Concept Plan (Exhibit A). Such recreational area shall include various improvements, such as benches, tables, gazebo, landscaping and other passive or active amenities, to facilitate community activities. All



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common amenities and common areas shall be maintained by an association for the benefit of the residents and their guests.

19. **Buffer Requirements.** Any buffer within the Property required herein may be landscaped, including supplemental plantings, signage, berms and/or fencing and other purposes as approved by the Planning Commission at the time of landscape plan review. Roads, sidewalks, utility easements (including drainage), common owned fencing/walls adjacent to any roads or drives, and signage shall be permitted within such buffer; provided, any such road or utility easements shall be extended generally perpendicular through such buffer. All buffers, whether in common area or a lot, shall be maintained by an association applicable to the Property. All buffers designated on the Concept Plan as

"25' BUFFER" shall be planted to the equivalent of a Transitional Buffer 25, unless the buffer is adjacent to residentially zoned property at the time of the Plan of Development review of the Property, in which case such buffer will be planted to the equivalent of a Transitional Buffer 35.

20. **Underground Utility Lines.** All utility lines on the Property shall be underground, except for existing utilities, junction boxes, meters, utility lines in wetlands areas, and utility lines required to be above ground by the utility company.
21. **Best Management Practices.** Best Management Practice structures shall be located outside of any landscaped buffer within the Property, except as a landscaping amenity or water related feature, or unless approved at the time of subdivision review. Any wet pond best management practice structures shall include an aeration feature to move water within such structure.
22. **Protective Covenants.** Prior to or concurrent with the final approval of the initial Plan of Development for the Property, a document setting forth covenants shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of the Property and establishing one or more owners' associations.



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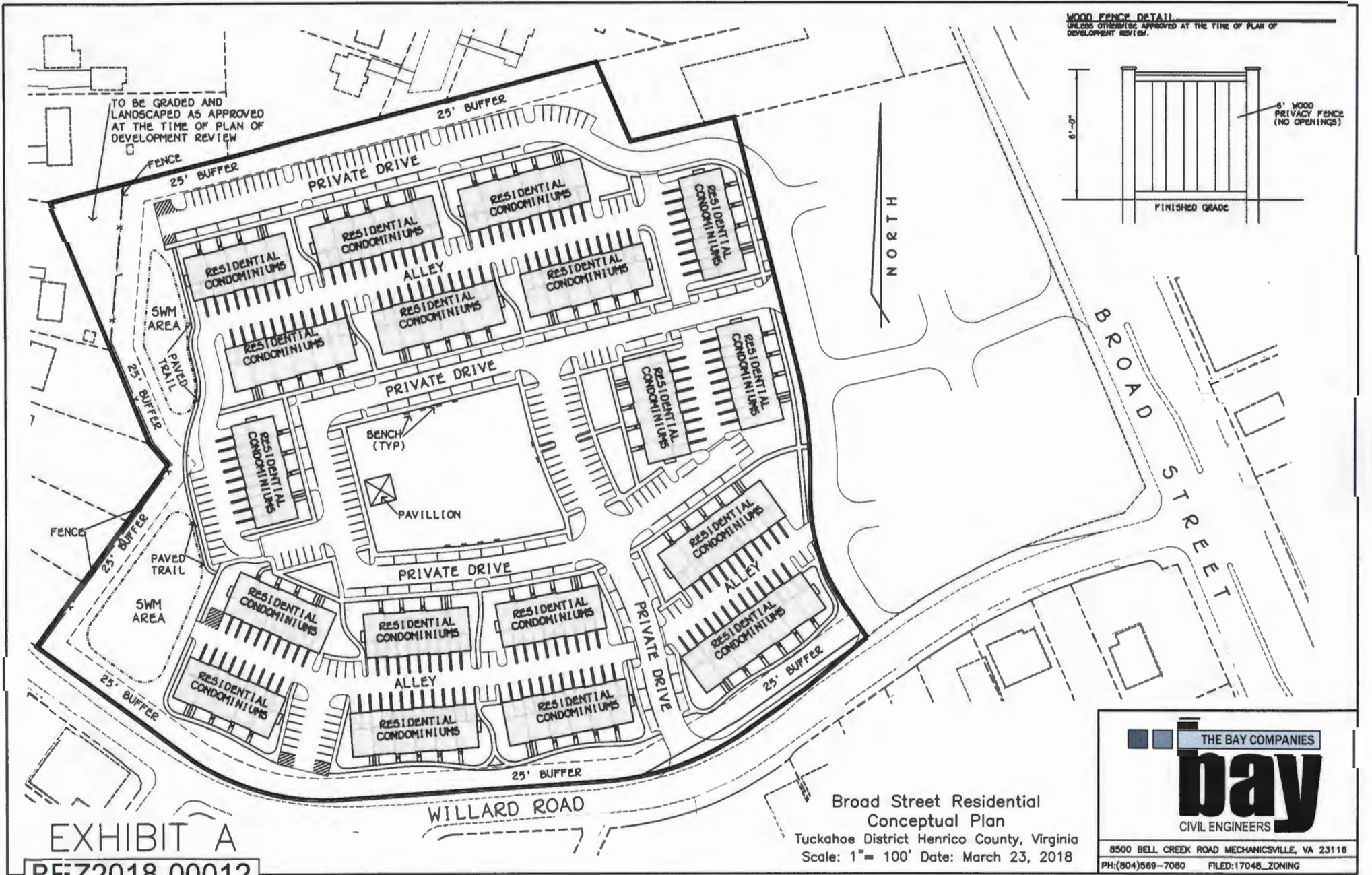
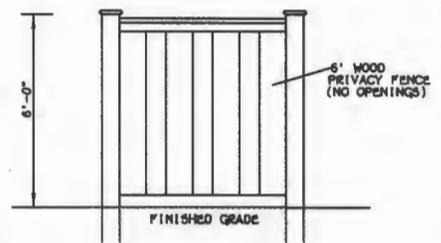
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23. **Condominium Act.** Any Condominiums constructed on the Property shall comply with the Virginia Condominium Act.
24. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

WOOD FENCE DETAIL
 UNLESS OTHERWISE APPROVED AT THE TIME OF PLAN OF DEVELOPMENT REVIEW.



TO BE GRADED AND LANDSCAPED AS APPROVED AT THE TIME OF PLAN OF DEVELOPMENT REVIEW

EXHIBIT A
 RE:Z2018-00012

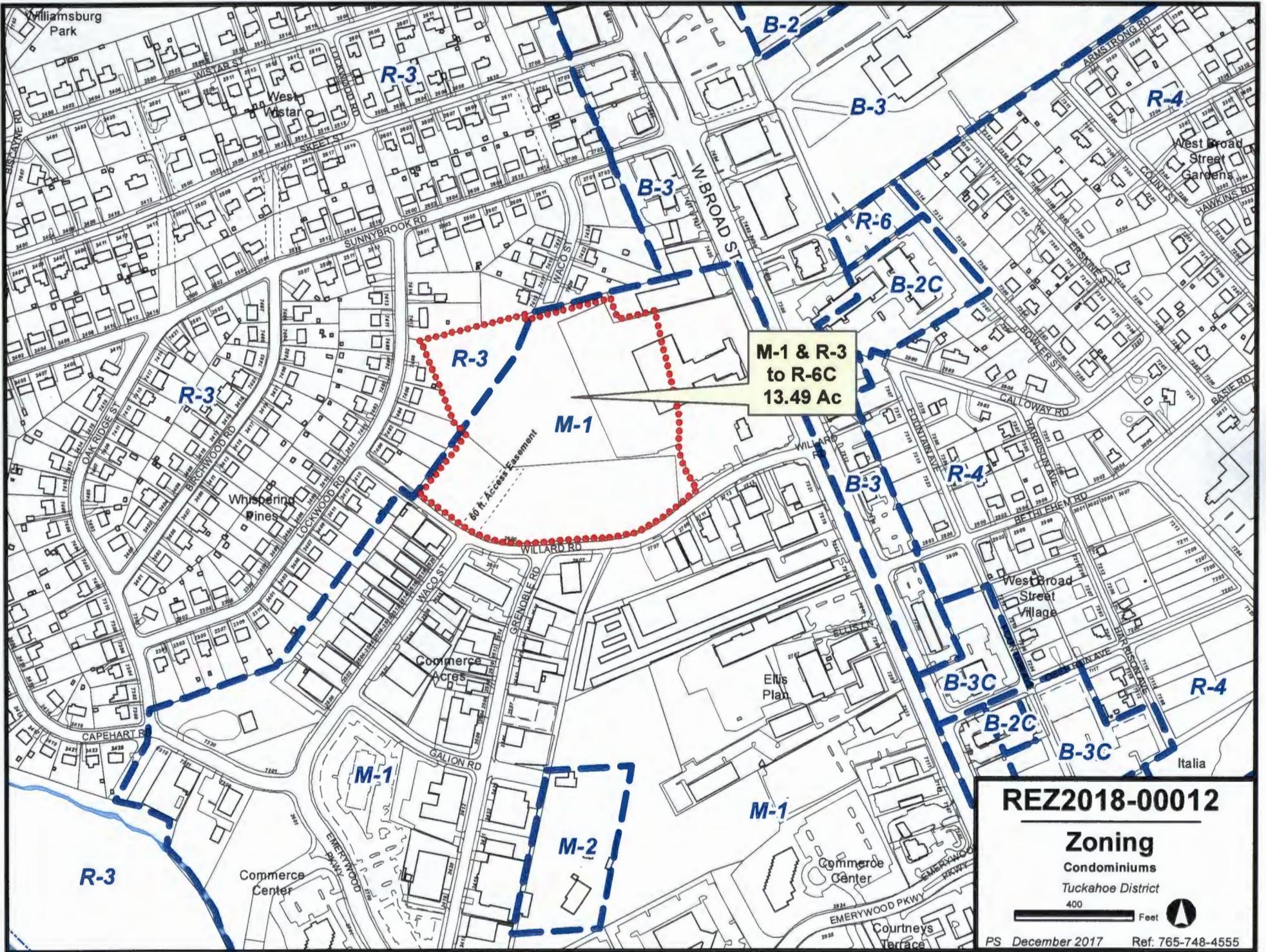
Broad Street Residential
 Conceptual Plan
 Tuckahoe District Henrico County, Virginia
 Scale: 1" = 100' Date: March 23, 2018

THE BAY COMPANIES
bay
 CIVIL ENGINEERS
 8500 BELL CREEK ROAD MECHANICSVILLE, VA 23116
 PH: (804) 569-7060 FILED: 17045_ZONING



Exhibit B **REZ2018-00012**

December 20, 2017



M-1 & R-3
to R-6C
13.49 Ac

REZ2018-00012

Zoning

Condominiums

Tuckahoe District



