



# REZ2018-00015

## GMB Trading, LLC

Staff Report for Board of Supervisors Public Hearing  
Prepared March 28, 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:**

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

### **II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

<b>Request:</b>	B-1C Business District (Conditional)
<b>Existing Zoning:</b>	B-1C Business District (Conditional), O-1 Office District
<b>Acreage:</b>	1.044 Acres
<b>Proposed Use:</b>	Retail Sales
<b>Location:</b>	Northwest intersection of Brook (U.S. Route 1) and Ridge Roads
<b>Magisterial District:</b>	Fairfield
<b>2026 Comprehensive Plan Recommendation:</b>	Office
<b>Parcel Number:</b>	784-752-5293 and 784-753-5104
<b>Zoning of Surrounding Properties:</b>	North: O-1 Office District South: B-1 Business District East: B-1 Business District West: R-4 One-Family Residence District

### **III. SUMMARY OF STAFF REPORT:**

The applicant proposes to conditionally rezone 1.044 acres from B-1C Business District (Conditional) and O-1 Office District to B-1C to allow the development of a small retail center. This would be an expansion of a recently approved rezoning case, REZ2017-00016, that rezoned the southern portion of the site to B-1C. The 2026 Comprehensive Plan recommends Office for the site. The subject property is located at the northwest intersection of Brook (U.S. Route 1) and Ridge Roads, and is located within the county's Enterprise Zone and Brook Road Corridor Revitalization/Reinvestment Opportunity Area identified in the Comprehensive Plan.

Consistent with the recently approved request, and in order to address possible impacts from the proposed retail uses, the applicant has submitted proffers that limit potentially incompatible uses, as well as provide for a solid masonry wall separating the site from residences to the west. Although not fully consistent with the recommendations of the 2026 Plan, expansion of the B-1C zoning approved with REZ2017-00016 would allow for a reasonable use of the property. The proposed development would also follow the general pattern of development on the west line of Brook Road, where properties are zoned B-1 and B-2 south of the subject property. The proffers should ensure a level of quality consistent with other recent development in the Brook Road corridor and should minimize negative impacts on adjacent residents. The applicant held a community meeting on March 1, 2018. No residents attended. 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 site is located at the northwest corner of the intersection of Brook and Ridge Roads and contains five lots originally platted as part of the Stuarts Ridge subdivision. An alley separates the site from several homes located to the west. Vacant property, zoned O-1, is located to the north, and restaurant and retail uses are located to the south and east across Brook and Ridge Roads, respectively.

Prior to the approval of rezoning REZ2017-00016, which rezoned the southern three lots of this site to B-1C, properties on the west line of Brook Road north of Ridge Road were all zoned O-1. The existing zoning helped guide the site's future land use recommendation of Office in the 2026 Comprehensive Plan; however, the pattern of development south of the subject site has largely consisted of lower-intensity retail and restaurant uses on property zoned B-1. Therefore, while not fully consistent with the 2026 Plan's future land use recommendation, the previous request was deemed to be appropriate because of the proposed intensity of retail uses and proper protections for adjacent residents provided in the proffers. Development of the site also supports the goals of the Enterprise Zone and Brook Road Corridor Revitalization/Reinvestment Opportunity Area.

To address potential impacts on adjacent properties, the applicant has submitted a number of proffers that would regulate the development of the subject site and are largely consistent with those accepted with REZ2017-00016. The proffers include the attached conceptual plan, which indicates how the site would be developed for a small retail building and associated parking. Staff notes the location of the building has moved when compared to the previous request, with the parking now located between the building and Brook Road. This would be similar to other recent developments in the area and could provide additional protections for residents to the west by

placing the building between customer activity and their homes. Additionally, an entrance is now shown on Brook Road, where access was previously limited to Ridge Road. This additional access should help address concerns regarding traffic through the adjacent neighborhood noted during consideration of the previous request.

A masonry wall, a minimum of 6' in height, would separate the site from the alley and residences to the west. Landscaped buffers would also be provided along all four sides of the property, as shown in the conceptual plan. These buffers would include enhanced landscaping along Brook Road consistent with other recent development in the area.

In addition to the proffered conceptual plan, the applicant has submitted architectural renderings of the proposed retail building. The building would contain the same design elements proposed with REZ2017-00016 and be more modern in appearance, containing exterior materials such as architectural metal panels and brick veneer. This section of Brook Road does not contain a particular architectural theme, indicating the proposed architectural style should not detract from the aesthetics of the corridor.

Other proffers submitted by the applicant address additional protections for adjacent residents, including:

- Hours of operation would be limited to 6:00 a.m. to 10:00 p.m. Permitted hours of operation in the B-1 District are 6:00 a.m. to midnight.
- Hours of trash removal and parking lot cleaning would be limited to the hours between 8:00 a.m. and 5:00 p.m. Monday through Saturday. Hours of construction would also be limited.
- Parking lot lighting would be limited to 15' in height and produced from concealed sources.
- Dumpsters and loading docks would be screened from public view.

Other proffers address permitted uses, BMPs, and underground utilities. The applicant has also proffered to provide sidewalk along both street frontages.

The 2026 Comprehensive Plan designates the site for Office. While not fully consistent with this designation, development of the site would support the goals of the Enterprise Zone and other policies and objectives of the Plan as noted in Section V below. Additionally, the reduced intensity of retail uses permitted in the B-1 District would be consistent with other sites on the west line of Brook Road, and when combined with the submitted proffers, should minimize impacts on adjacent residents. 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 Office for the subject site, which is also located in the Brook Road Corridor Revitalization/Reinvestment Opportunity Area. While not fully consistent with the Office designation, this request would be a reasonable expansion of the recently approved business development, would support the goals of the special focus area and, properly developed, would be consistent with the pattern of development elsewhere in this section of Brook Road.

***Vision, Goals, Objectives and Policies:***

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

- Infrastructure/Service Provision & Growth Coordination Objective 6: Encourage the sensitive infill development of vacant or underutilized parcels in more developed areas of the county to more efficiently utilize existing public facilities.
- Land Use and Community Character Objective 3: Encourage new growth and development that takes into account location and availability of infrastructure and services.
- Land Use and Community Character Objective 39: Protect existing development and residential areas from encroachment by incompatible or inappropriate land uses.

**VI. PUBLIC SERVICE AND SITE CONSIDERATIONS:**

***Major Thoroughfare and Transportation:***

The following is the approximate number of new trips expected by the development of an 8,250 square foot development:

Total Weekday Trips = 320 (160 in, 160 out)

Ridge Road will need to be widened along the parcel with curb and gutter. Brook Road improvements will need to be coordinated with VDOT. A right turn lane may be required at the Brook Road access point. Any access onto Brook Road will need to meet VDOT's Access Management spacing requirements. In addition, the proffered sidewalk along Brook Road should be shown on the Schematic Layout and its final location will require VDOT approval during the Plan of Development review process.

***Virginia Department of Transportation:***

Any work done in VDOT right of way will require a land use permit. VDOT recommends the entrance on Ridge Road be located at least 225' from Brook Road.

***Public Utilities Services:***

County water is located in Brook Road. County sewer is located in the alley at the rear of the property. Additionally, the existing house at 7506 Brook Road is currently connected to County water and sewer.

***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.
- Traffic Engineering will determine if any right-of-way dedication or road improvements are required.
- VDOT will determine if any road improvements are required along Brook Rd (Route 1)
- There may be restrictions within existing non-County utility easements.

***Schools:***

This rezoning request does not involve the addition of any housing and thus does not have any educational impacts.

***Division of Fire:***

No comments.

***Division of Police:***

The applicant is encouraged to contact and work with the Special Services Unit within the Division of Police for crime prevention techniques and Crime Prevention Through Environmental Design (CPTED) concepts as a subdivision is drafted to be submitted for review.

***Recreation and Parks Department:***

The property has a brick colonial built in 1931 that is not historically or architecturally significant. Preservation or reuse of this building would not be recommended in the proposed plan. The parcel falls within (043-5108) Yellow Tavern Battlefield-for information only.

***Libraries:***

No comments.

***Topography and Land Characteristics Adaptability:***

There are no known topographic reasons why the site cannot be used as proposed.



## Proffers for Conditional Rezoning

County of Henrico, Virginia

4301 E. Parham Road, Henrico, Virginia 23228

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

Mailing Address: Planning Department, P.O. Box 90775, Henrico, VA 23273-0775 Phone (804) 501-4602

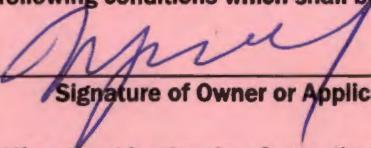
Faxsimile (804) 501-4379

Original  Amended

Rezoning Case No. REZ2018  
00015

Magisterial District Fairfield

Pursuant to Section 24-121 (b) of the County Code, the owner or duly authorized agent\* hereby voluntarily proffers the following conditions which shall be applicable to the property, if rezoned:

  
Signature of Owner or Applicant / Print Name

Mark J. Kraenthal

2/23/18  
Date

\*If applicant is other than Owner, the Special Limited Power of Attorney must be submitted with this application

REZ2018-00015

February 20, 2018

1. **Conceptual Plan.** The Property shall be developed in general conformance with the conceptual rendering entitled "7500 BROOK ROAD, SCHEMATIC LAYOUT, HENRICO COUNTY, VIRGINIA", prepared by SILVERCORE Land Development Consultants, and dated December 4, 2017 (see case file) (the "Concept Plan"), Sheet 1 of 2, which is conceptual in nature and the exact locations, footprints, configurations, size, and details of the drives, roads, buildings and other improvements shown on the Concept Plan are illustrative and may be subject to change and may be updated from time to time as required for final engineering design, compliance with governmental regulations or as otherwise approved at the time of plan of development review of the Property.
2. **Landscaping.** A landscape strip a minimum of ten feet in width shall be provided as generally shown on the Concept Plan as "10' TRANSITIONAL BUFFER", which shall be planted per the transitional buffer 10 requirements of the Henrico County Code, provided that the buffer along Brook Road shall be planted to the requirements set forth in the West Broad Street Overlay District pursuant to Section 24-92.3(e)(2) of the Henrico County Code.
3. **Wall.** A screening wall constructed of stone, brick or other masonry product such as textured precast concrete product, a minimum of six (6) feet in height, shall be provided parallel to the rear (western) property line. Both sides of such wall are to be of a color and pattern similar to the building to be constructed, unless a different material, color or texture is requested and specifically approved at the time of Plan of Development review.
4. **Elevations.** Any building constructed on the Property shall be generally compatible with respect to building materials and architectural style with those shown on the conceptual elevations entitled "ELEVATIONS", prepared by MICHAEL PELLIS ARCHITECTURE, and dated June 6, 2017



## Proffers for Conditional Rezoning (Supplemental)

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(see case file), which elevations are conceptual in nature and may be revised as approved by the Planning Commission at the time of Plan of Development review.

5. **Best Management Practice.** Any Best Management Practice (BMP) structures shall be located outside of the required buffers, except as a landscaping amenity, water-related feature or incorporated as a rain-garden type BMP with landscaping and if specifically permitted at the time of Plan of Development review. Any above-ground wet BMP structure shall include an aeration feature to move water within such structure.
6. **Loading Docks.** Any loading docks, not to include doors for at-grade deliveries, shall be screened from public view at ground level as approved at the time of Plan of Development review by use of a wall, landscaping, or such other method as may be approved at the time of Plan of Development review.
7. **Trash and Recycling Receptacles.** Dumpsters, central trash and recycling receptacles (not including convenience cans) shall be screened from public view with a masonry enclosure compatible with the architectural design of the building at ground level at the boundary of the property as approved at the time of Plan of Development review. The gates and doors on the refuse screen shall be of a substantial and durable material as approved at the time of Plan of Development review. Convenience cans shall be within or part of a decorative container. Trash pickup shall be limited to the hours between 8:00 AM and 5 PM Monday through Saturday.
8. **Parking Lot Cleaning.** Parking lot cleaning shall be limited to the hours between 8:00 AM and 5 PM Monday through Saturday, exclusive of snow removal.
9. **Drainage and Utilities.** Except for junction boxes, meters, pedestals, transformers, transmission mains, relocated and/or existing overhead utility lines or for technical or environmental reasons, all new utility lines shall be underground.
10. **Parking Lot Lighting.** Parking lot lighting standards within the Property shall not exceed fifteen feet in height as measured from the grade of the lighting standard, except as otherwise approved at the time of Plan of Development review. Parking lot lighting shall be produced from concealed sources of light and shall not exceed one-half (1/2) foot candle at the boundaries of the Property.
11. **Road Amenities.** Sidewalks shall be installed or refurbished in or adjacent to the rights-of-way for Brook Road and Ridge Road parallel to the boundary line of the Property, unless otherwise



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prohibited by law or government regulation. Street level lighting shall be provided along the sidewalk on Brook Road as may be required at the time of Plan of Development review.

12. **Speakers**. No public address, speaker or paging systems shall be audible beyond the boundary line of the Property.

13. **Use Restrictions**. The following uses shall be prohibited:

- a. Funeral home, mortuary and/or undertaking establishment;
- b. Hospital or clinic for small animals, dogs, cats, birds and the like;
- c. Parking lots, commercial;
- d. Recycling collection facility;
- e. Bars, for which purposes of this restriction shall mean a business establishment whose primary business is the sale of alcoholic beverages for on-premises consumption. This restriction shall not prohibit the sale of alcoholic beverages in restaurants as licensed by the Virginia Department of Alcoholic Beverage Control; and
- f. Establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.2-2100 et seq. and 6.2-1800 et seq. of the Code of Virginia (1950), in effect as of the date of the approvals of these proffers (the foregoing shall not preclude banks, savings and loans or similar financial institutions that are not regulated by the foregoing Virginia Code sections).

14. **Signage**. Any detached signs shall be ground mounted, monument-type signs and shall not exceed six (6) feet in height.

15. **Construction Hours**. The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday, between 8:00 a.m. and 5:00 p.m. on Saturday, and between 10:00 a.m. and 4:00 p.m. on Sunday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work, including, but not limited to, concrete pours or utility connections.

16. **Hours of Operation**: Hours of operation will be permitted between the hours of 6:00 a.m. and 10:00 p.m.

17. **Directional Signage**: Directional signage will be installed at the exit of the site onto Ridge Road prohibiting a right turn exiting the site, unless otherwise prohibited by law or government regulations.



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- 18. 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.

 SILVERCORE  
AND DEVELOPMENT CONSULTANTS

MEINRICK COUNTY, VIRGINIA

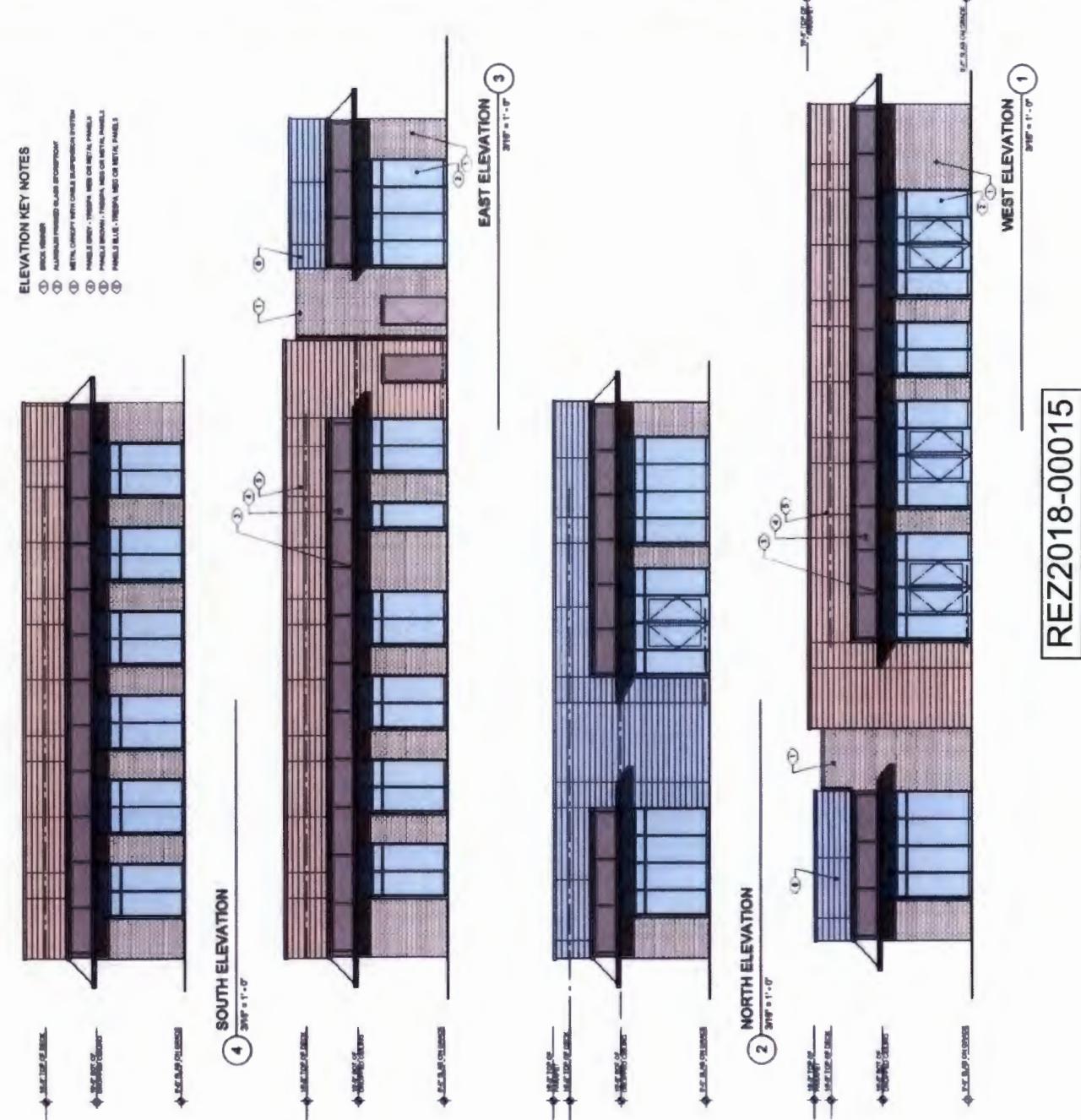
## SCHEMATIC LAYOUT

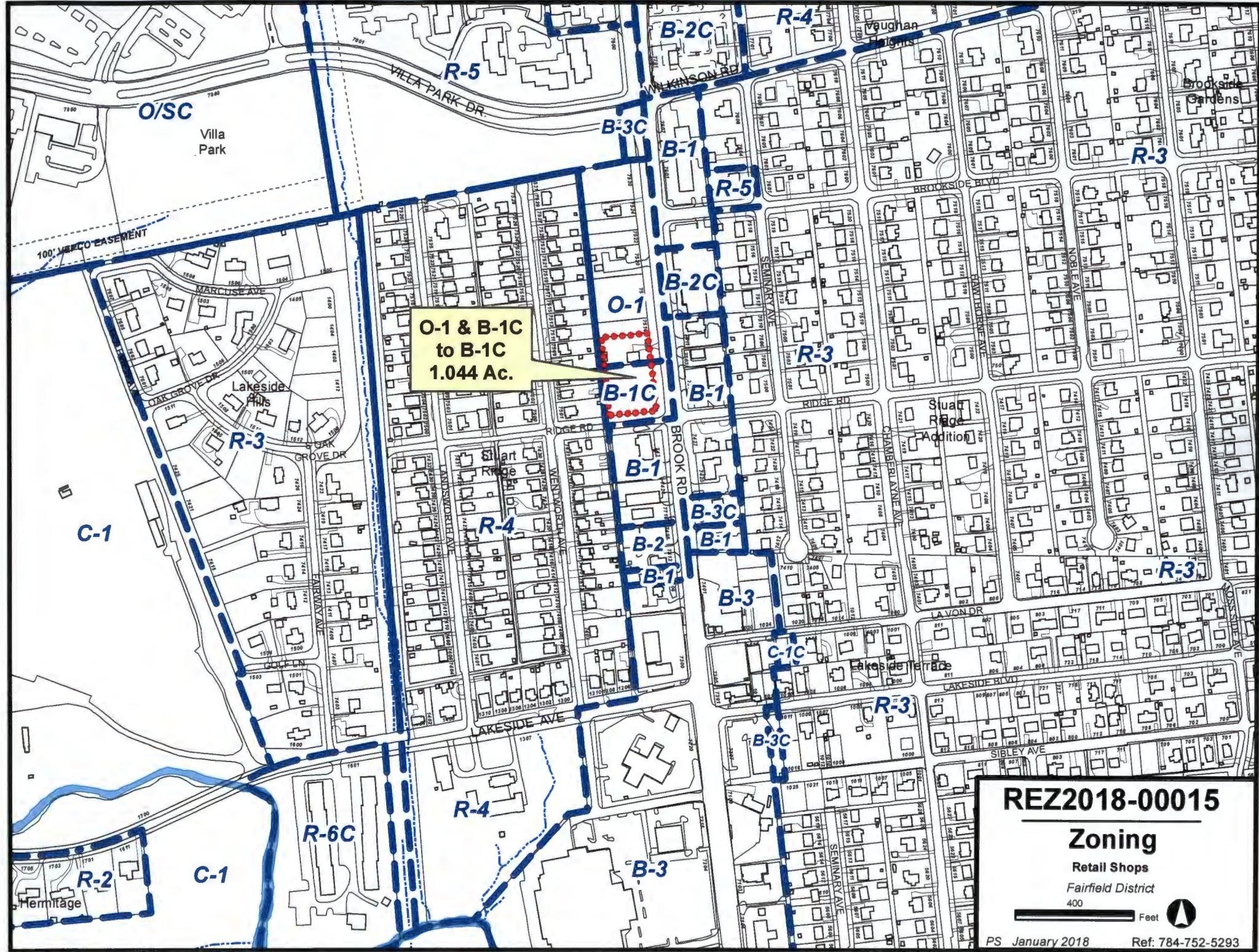
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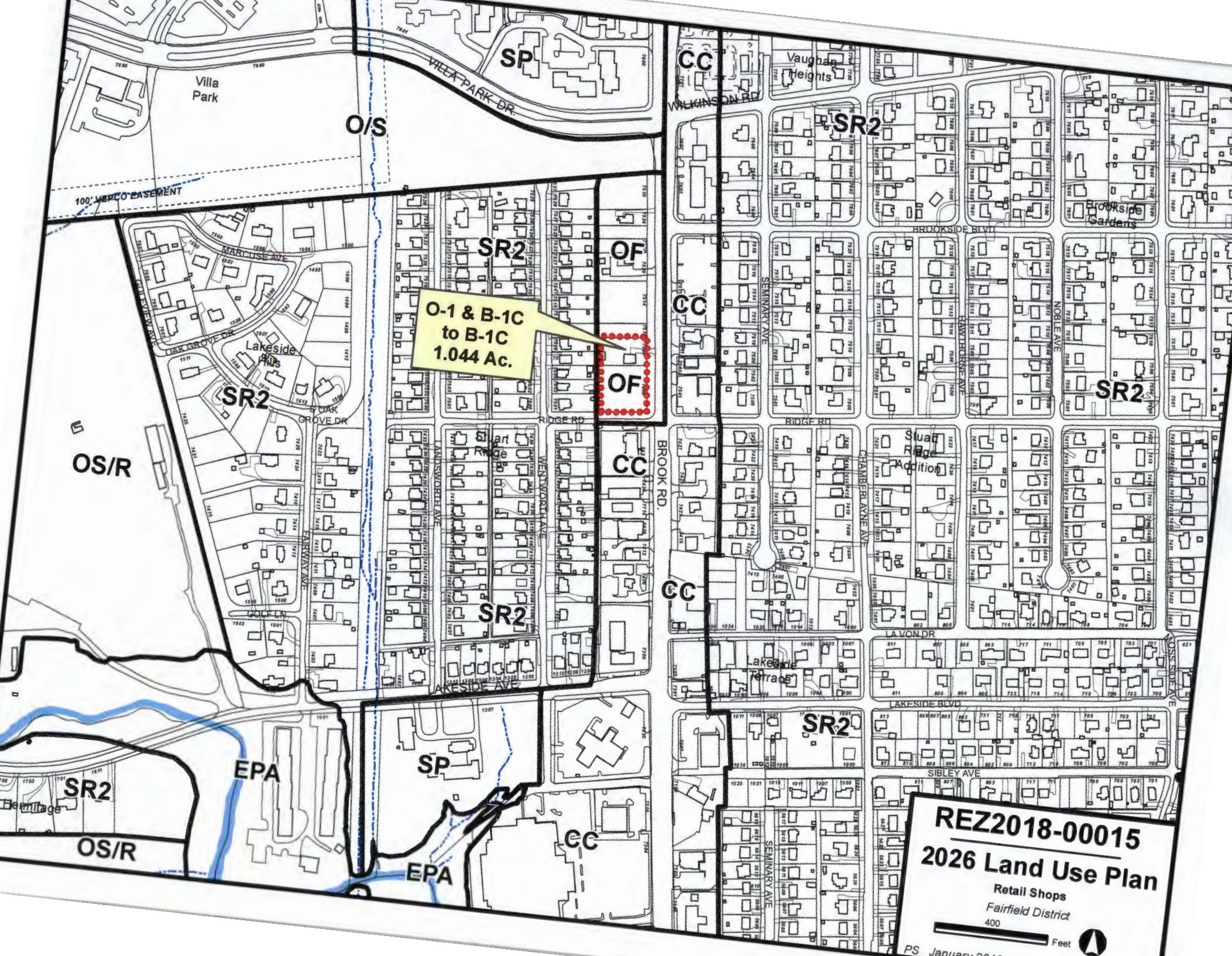
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REZ2018-00015







REZ2018-00015  
2026 Land Use Plan  
Retail Shops  
Fairfield District  
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