



REZ2018-00028

Salvatore Cangiano

Staff Report for Board of Supervisors Public Hearing
Prepared August 2, 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 zoning matter.

I. PUBLIC HEARINGS:

Planning Commission:	June 14, 2018 July 12, 2018	Deferred at applicant's request Recommended for approval
Board of Supervisors:	August 14, 2018	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning: B-2C Business District (Conditional) – 13 acres;
RTHC Residential Townhouse District (Conditional) – 49.6 acres;
R-5AC General Residence District (Conditional) – 16.3 acres

Existing Zoning: B-3C Business District (Conditional); R-5C General Residence District (Conditional); R-3C One-Family Residence District (Conditional)
**Note: Subject site and all adjacent properties located in Airport Safety Overlay District*

Acreage: 78.9 acres total site area

Location: Northeast intersection of E. Williamsburg Road (U.S. Route 60) and Dry Bridge Road

Magisterial District: Varina

2026 Comprehensive Plan Recommendation: Commercial Concentration, Urban Residential (density between 3.4 and 6.8 units per acre), Suburban Residential 1 (density up to 2.4 units per acre), and Environmental Protection Area

Parcel No: 836-713-7564

Zoning of Surrounding Property:

North:	R-3 One Family Residence District; B-3 Business District
South:	A-1 Agricultural District; B-3C Business District (Conditional)
East:	R-3 One-Family Residence District; RTH Residential Townhouse District; M-1C Light Industrial District (Conditional); A-1 Agricultural District
West:	B-2C Business Districts (Conditional), A-1 Agricultural District; B-3 Business District

III. SUMMARY OF STAFF REPORT COMMENTS:

This is a request to conditionally rezone a total of 78.9 acres from B-3C, R-5C, and R-3C to B-2C, R-5AC, and RTHC to allow for a mixed-use community comprised of townhomes, detached homes on zero lot lines, and a small commercial area. A maximum density of 273 residential units is proposed. A companion provisional use permit request (PUP2018-00009) has been submitted to allow a convenience store to operate 24 hours per day.

The subject site is predominantly vacant and bordered by E. Williamsburg Road, Old Williamsburg Road, Dry Bridge Road and Old Memorial Drive. The proposed uses could be appropriate for the site given its location adjacent to a four-lane divided highway and its close proximity to an interstate interchange.

The existing zoning categories on the property were approved as part of rezoning request C-3C-07, which proposed a large-scale retail and hotel development, as well as 23 single-family homes and a 126-unit age-restricted apartment community. The 2026 Comprehensive Plan reflects this approved rezoning, meaning the majority of the site is designated Commercial Concentration, with the remainder designated Urban Residential, Suburban Residential 1, and Environmental Protection Area.

This request is not entirely consistent with these land use recommendations; however, given the reduced demand for retail square footage in the area, additional housing could be appropriate and could support the goals of the Comprehensive Plan in this area of the County. Additionally, the site's proximity to major transportation corridors such as Interstates 64 and 295 indicate the site could be appropriate for the level of development proposed with this request. For these reasons, staff supports this request.

The Planning Commission recommended approval of this request at their July 12, 2018 meeting. During that hearing, the Commission requested the applicant explore additional protections for adjacent homeowners. The applicant has provided a revised proffer statement that provides for fencing between the site and the adjacent Pine Heights community. The revised proffer statement also reduces the hours of construction on Saturdays within close proximity of Pine Heights.

IV. LAND USE ANALYSIS AND IMPLICATIONS:

This subject property is mostly wooded with rolling hills. A stream bisects the site, and associated floodplain and wetlands is located at the south center portion of the site, adjacent to E. Williamsburg Road. The zoning and land uses of adjacent properties are shown in the following table:

	Zoning	Use	Rezoning Case
North	R-3 B-3	Pine Heights one-family residential subdivision Undeveloped & Aramark warehouse	C-21-66 N/A
South	A-1 B-3C	One-family dwelling Undeveloped	N/A C-45C-89
East	R-3 RTH M-1C A-1	Pine Heights one-family residential subdivision Undeveloped Undeveloped One-family dwellings	C-21-66 C-48-70 C-8C-97 N/A
West	B-3 A-1 B-2C	Undeveloped One-family dwellings One-family dwellings	C-37-68 N/A C-32C-04

The applicant is proposing to develop the site with a combination of residential and commercial uses. The majority of the area (49.6 acres) would be rezoned RTHC and developed with a maximum of 230 townhouses, 16.3 acres would be rezoned R-5AC and developed with up to 43 single-family homes on zero lot lines. The remainder of the site would be downzoned to B-2C to allow for a small commercial village area, as well as two pad sites adjacent to E. Williamsburg Road. These pad sites would be developed with a restaurant with drive-thru and convenience store with fuel sales. A companion provisional use permit request (PUP2018-00009) has been submitted to allow for 24-hour operation of the convenience store.

The applicant has submitted a proffered conceptual layout depicting a reconfiguration of the previous site plan proposed with C-3C-07, which put the existing zoning in place. That request proposed a large (240,000 square foot) retail development, up to 2 hotels, 126 age-restricted apartments, and 23 single-family homes. Since that rezoning was approved, additional retail development in the area, such as White Oak Village, has reduced the demand for the large amount of retail space proposed with C-3C-07. For this reason, the applicant is now proposing to reduce the amount of business zoning to develop a small retail village, along with more intense commercial uses along E. Williamsburg Road. The retail village would serve, and be integrated with, the proposed zero lot line homes and residential townhouses.

The following sections provide an analysis of the overall development, as well as each proposed zoning district relative to the 2026 Comprehensive Plan, proposed uses, and the submitted proffers.

Overall Development

The proffered conceptual plan shows how the site would be developed into a cohesive mixed-use community that would allow for integration of the proposed residential communities with the retail area along Dry Bridge Road. In order to ensure this integration, the applicant has committed to features such as a pedestrian plan, which would detail pedestrian connections between the project areas at the time of plan of development. Other commitments regarding the overall development detail limitations on the hours of construction, underground utilities, protective covenants, and a commitment to rezone the floodplain area on the site to C-1 Conservation District. These proffers, in conjunction with the business and residential specific proffers detailed later in this report, should provide for level of quality and protection for adjacent residents consistent with the previous rezoning approval on the site. Additionally, the applicant has provided additional proffer language to address concerns raised by neighbors at the Planning Commission public hearing, which should further minimize impacts on those homeowners.

B-2C Business District (Conditional) – 13 acres

The southwest portion of the site would be developed for retail uses. The concept plan shows three access points to the retail area from Dry Bridge Road, with no access from E. Williamsburg Road, which is controlled access at this location. The proposed convenience store and restaurant with drive-thru would be located immediately adjacent to the intersection of the two roadways, and the proposed hotel would separate those uses from the retail village proposed farther north on Dry Bridge Road.

In addition to the concept plan and other proffers typical of commercial development in the county, the applicant has addressed several other potential impacts with the proffers relating to the B-2C portion of the property, including:

- Prohibition on several potentially inappropriate uses, including hotels;
- Exterior materials, including but not limited to, decorative concrete block, pre-cast concrete, stone, cast stone, brick, granite, stucco, and EIFS, consistent with the character images in Exhibit B;

- Maximum height of 10 feet for detached signs; and,
- No more than one filling station and one fast food restaurant with drive-thru permitted on the site. The current zoning on the site allows up to three fast food restaurants.

The 2026 Comprehensive Plan recommends commercial concentration for this portion of the site, which is currently zoned B-3C. The proposed zoning and retail uses would be consistent with this designation, as well as the existing zoning. The uses proposed in the commercial portion of the development are currently permitted, including the 24-hour convenience store. Because the applicant is now requesting B-2C zoning, a provisional use permit is required to allow the same 24-hour operation. Therefore, the applicant has submitted companion request PUP2018-00009.

RTHC Residential Townhouse District (Conditional) – 49.6 acres and R-5AC General Residence District (Conditional) – 16.3 acres

The remainder of the site would be developed with residential uses. A spine road, located at the second entrance from Dry Bridge Road, would provide access to all development areas, and would traverse the site from west to east, connecting to Old Memorial Drive. This roadway would provide access to the majority of the townhouse development area, which would be located east of the stream bisecting the site. Some townhouses would be west of the stream, adjacent to the planned commercial development and a roundabout that would serve as an entrance feature to the residential portion of the development.

Just north of the proposed commercial area would be a subdivision of up to 43 detached homes on zero lot lines. This portion of the site separates the Pine Heights neighborhood from Dry Bridge Road, where two access points would be located. The southern access would be shared with the adjacent retail development, and the applicant has indicated roadways serving this area would be public, as would the spine road described above. This spine road would be landscaped with street trees spaced 35' apart.

Proffers submitted by the applicant for the residential area address both the zero lot line homes and townhouses. Conceptual images have been proffered (Exhibit C). Other proffers include details regarding exterior materials, foundations, driveways, garages, sound suppression, and yard and street tree requirements. Sidewalk would also be required in front of all lots within the development, and the applicant has provided for enhanced buffers between the two residential areas and the adjacent neighborhood. To address concerns raised at the Planning Commission public hearing, the applicant has also revised their proffers to provide for a fence adjacent to Pine Heights in a location to be determined at the time of plan of development. Construction hours have also been further reduced for activities occurring within 250' of Pine Heights.

The 2026 Comprehensive Plan recommends Commercial Concentration for the majority of the area proposed for RTHC, with a small area designated Suburban Residential 1 (up to 2.4 units per acre). The proposed townhouses are not fully consistent with either designation; however, with the previously mentioned reduction in demand for commercial space in this area of the County, anticipated reductions in traffic generation, and minimal impacts on other public facilities, the proposed use and townhouse density of 4.64 units per acre could be appropriate.

With regards to the R-5AC portion of the development, the 2026 Comprehensive Plan recommends Urban Residential for the majority of this development area, with the remainder designated Commercial Concentration. Urban Residential areas are intended for residential uses with a density ranging from 3.4 to 6.8 units per acre. The proposed density within this 16.3-acre development area would be 2.64 units per acre, which is generally consistent with this designation, indicating the proposed use would be appropriate at this location.

Community Meeting

The applicant held a community meeting on May 30, 2018. At that meeting residents expressed concerns regarding a proposed hotel use and buffering adjacent to their homes. They also expressed concerns regarding impacts on existing private septic systems in the Pine Heights neighborhood, many of which are failing. Staff notes the developer will need to provide access to public sewer for adjacent properties as part of their development, consistent with Department of Public Utilities policy, however the extension of the sewer to individual homeowners within Pine Heights will ultimately be the responsibility of those homeowners. To address the other concerns, the applicant subsequently revised this request to prohibit hotels on the property and provide for additional buffering between the site and the adjacent neighborhood.

Summary

Overall, staff believes this request would be consistent with the goals of the 2026 Comprehensive Plan, although specific elements of the proposed development are not entirely in keeping with the land use recommendations contained in the Plan. These recommendations are largely based on the previous rezoning approval on the site, and given recent commercial development trends, deviating from the land use recommendations could be appropriate. In addition, it appears the increase from 149 to 273 residential units proposed by the applicant can be accommodated by existing public facilities, including schools. Transportation impacts should also be mitigated through the applicant's commitment to providing roadway improvements consistent with the submitted traffic impact analysis. For these reasons, staff supports this request. The Planning Commission recommended approval of this request at their July 12, 2018 meeting.

V. COMPREHENSIVE PLAN ANALYSIS:

2026 Comprehensive Plan Recommendation:

The 2026 Comprehensive Plan recommends Commercial Concentration, Urban Residential, Suburban Residential 1 and Environmental Protection Area for the subject site. While the proposed development is not fully consistent with each of these designations, as a whole staff believes this request would be consistent with the goals of the Comprehensive Plan.

Goals, Objectives and Policies:

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

- 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 9: Promote diverse housing types that meet the needs of a demographically diverse population.
- Land Use and Community Character Objective 23: Encourage residential growth in areas where the physical conditions are conducive to development, i.e. soils, drainage, topography.
- Residential Keystone Policy 7: Promote development at densities which can be supported by the natural site conditions, availability of public facilities and the transportation network.

VI. PUBLIC SERVICE AND SITE CONSIDERATIONS:

Major Thoroughfare and Transportation:

A Traffic Impact Analysis (TIA) was performed for this development. Based on the report, this development will generate approximately 6,224 new trips per day. In comparison, the previously approved development on this site would generate approximately 12,190 new trips per day.

Based on the TIA, Traffic Engineering recommends that Dry Bridge Road be widened to its ultimate width on the east side from Williamsburg Road to Old Williamsburg Road, add right turn lanes at Driveways 1 and 2, and on southbound Dry Bridge Road at Williamsburg Road. Ample right-of-way appears to exist. Traffic Engineering supports the proposed roadway improvements that are outlined in Proffer 12. Dry Bridge Road is classified as a Major Collector roadway on the County Major Thoroughfare Plan. Access Management spacing requirements and sight distance requirements must be met at all access points.

Drainage:

All proposed improvements must comply with all applicable Public Works plan of development requirements. 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. Based on information in the County's GIS, there appears to be 100-year floodplain present on the site. It appears there may be an SPA stream and /or an RPA stream on the property. 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 Services:

County water is located in Old Williamsburg Road, Clayman Road and Betner Road. County sewer is located approximately 4,500 ft. southwest of the E. Williamsburg Road property line, along the White Oak Trunk sewer.

Schools:

The plan allocates 230 residential townhomes and 43 single family residences. The lot will be in the following attendance zones:

School Level	School Name	2017 Membership	Functional Capacity	Townhomes Student Yield Ratios Per 100 units	Total Student Yield*
Elementary	Seven Pines	399	528	19.6	45
Middle	Elko	832	1,058	11.5	26
High	Varina	1,508	1,980	15.4	35

**Note. At development build out.*

School Level	School Name	2017 Membership	Functional Capacity	Single Family Student Yield Ratios Per 100 units	Total Student Yield*
Elementary	Seven Pines	399	528	30.1	13
Middle	Elko	832	1,058	16.7	7
High	Varina	1,508	1,980	22.0	9

**Note. At development build out.*

Student yield information is created using student yield data for similar developments. Varina District per 100 units, residential townhomes yield 19.6 elementary school students, 11.5 middle school students, and 15.4 high school students. Varina District per 100 units, single-family residence yield 30.1 elementary school students, 16.7 middle school students, and 22.0 high school students.

Based on September 30, 2017 membership and capacity figures shown above, Seven Pines Elementary is currently at 75.6% of capacity. The analyses shown above indicates the proposed development would potentially yield 58 additional elementary school students. Over the next five years, membership/capacity ratios for Seven Pines Elementary are expected to stay under 80%. Elko Middle is currently at 78.6% of capacity. The analyses shown above indicates the proposed development would potentially yield 33 additional middle school students. Over the next five years, membership/capacity ratios for Elko Middle are expected to stay around 80%. Varina High is currently at 76.2% of capacity. Over the next five years, membership/capacity ratios for Varina High are expected to stay under 90%. The analyses shown above indicates the proposed development would potentially yield 44 additional high school students. At this time currently this development along with other known new development in this area of the county can be accommodated by the zoned elementary, middle and high schools. Highland Springs High School, which is adjacent to Varina High School, is at full capacity. Redistricting, trailers, and/or other capacity relief options will be needed at the high school level in this area of the county.

Division of Police:

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

Fire:

No comments.

Libraries:

This request falls within the service areas of the Sandston Branch Library and Varina Area Library. The Sandston facility was renovated in 2003 with added study rooms and a spacious meeting room. The Varina facility was part of the 2005 bond referendum. This facility, opened in June 2016, offers expanded meeting, study, and conference room space; digital media lab; enhanced children's and teens' space plus a drive-up pickup/drop off service. 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 developments continue to be built and the population in the area continues to grow, the Sandston Branch Library and Varina Area Library will be able to meet the increased service demands. The Varina Area Library can easily be expanded and is projected to offer Sunday hours in the future as one way to meet the increased service demands.

Recreation and Parks:

No park or recreation facilities, historical, or archeological impact. The parcel falls within the Civil War area identified by the Virginia Department of Historic Resources as (043-5081) Fair Oaks and Seven Pines Battlefield and (043-0308) Savage Station Battlefield-for information only.

Topography and Land Characteristics Adaptability:

Other than the noted stream and associated floodplain and wetlands, there are no known topographical constraints affecting this request.



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 Facsimile (804) 501-4379

Original Amended Rezoning Case No. REZ 2018 00028 Magisterial District Varina

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] / Andrew M Condlin 7-17-18
Signature of Owner or Applicant / Print Name Date

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

CASE REZ2018-00028

July 17, 2018

PROFFERS APPLICABLE TO THE ENTIRE PROPERTY:

1. **Concept Plan.** The Property shall be developed in general conformance with Exhibit A, attached hereto (see case file), entitled "DRY BRIDGE ROAD, OVERALL CONCEPTUAL, REZONING CONCEPTUAL, VARINA DISTRICT, HENRICO COUNTY, VIRGINIA", prepared by Balzer and Associates, Inc., and dated June 19, 2018 (the "Concept Plan"). The exact locations, footprints, configurations, size, and details of the lots, drives, roads, buildings and other improvements shown on the Concept Plan are illustrative and are 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. **Buffer Requirements.**
 - a. **Overall.** Any buffer within the Property required herein shall be natural and 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 unless otherwise approved at the time of Plan of Development approval. All buffers, whether in common area or a lot, shall be maintained by the association applicable to the Property.



Proffers for Conditional Rezoning (Supplemental)

County of Henrico, Virginia

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b. **East Williamsburg Road Buffer.** A minimum twenty-five (25) foot natural and landscaped buffer and planted to the level of a transitional buffer 25 shall be provided adjacent to the boundary of the Property adjoining East Williamsburg Road.

c. **Dry Bridge Road Buffer.** A minimum ten (10) foot natural and landscaped buffer and planted to the level of a transitional buffer 10 shall be provided adjacent to the boundary of the Property adjoining Dry Bridge Road.

d. **East-West Connector Road.** A minimum ten (10) foot natural and landscaped buffer and planted to the level of a transitional buffer 10 shall be provided adjacent to the boundary of the road shown on the Concept Plan as "East-West Connector Road". These buffers shall also contain landscaping (such as street trees and a hedge row) and natural open areas, except as required for utility and drainage easements, which, as much as practical, shall run perpendicular to this buffer. Spacing for street trees along or within the East-West Connector Road shall be a maximum of thirty-five (35) feet on center, and no more than fifteen (15) feet from the edge of the right-of-way for the East-West Connector Road.

e. **15' Individual Lots Buffer.** A minimum fifteen (15) foot natural and landscaped buffer and planted to the level of a transitional buffer 10 shall be provided adjacent to or within the boundary of any R-TH or R-5A lot as shown on the Concept Plan as "15' BUFFER". Fencing along or within individual lots as may be required by the Planning Commission at the time of landscape plan review shall be installed as necessary to provide additional screening to and from the existing homes in Pine Heights subdivision.

f. **25' Individual Lots Buffer.** A minimum twenty-five (25) foot natural and landscaped buffer and planted to the level of a transitional buffer 25 shall be provided adjacent to or within the boundary of any R-TH lot as shown on the Concept Plan as "25' BUFFER". Fencing along or within individual lots as may be required by the Planning Commission at the time of landscape plan review shall be installed as necessary to provide additional screening to and from the existing homes in Pine Heights subdivision.

3. **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.
4. **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.



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5. **Protective Covenants.** Prior to or concurrent with the final approval of the initial Plan of Development for the Property, a document setting forth covenants (the "Covenants") shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia (the "County"), setting forth controls on the development and maintenance of the Property and establishing one or more owners' associations (the "Association"). All common amenities and common areas shall be maintained by the Association for the benefit of the owners, residents, tenants and their guests.
6. **Pedestrian Amenities.** Pedestrian areas, trails, walks and amenities shall be provided throughout the development to provide pedestrian connectivity throughout the entire project and in particular between buildings and to adjacent commercial uses, all as generally shown on the Concept Plan. A pedestrian phasing plan shall be submitted to the Planning Commission for review and approval as part of the first Plan of Development on the Property. This plan shall include the design, material and location of pedestrian elements. Trails/walks within the Property shall be constructed of concrete, exposed aggregate concrete, asphalt, stone, pavers, or brick or soft surfaces such as mulch, pea gravel, boardwalks, crushed gravel, or loose stone.
7. **C-1 Conservation District.** Prior to filing the final Plan of Development, the Owner/Applicant shall apply to rezone such portions of the Property situated within the 100-year floodplain/special flood hazard area to a C-1 Conservation District. The location and limits of such portions of the Property shall be established by definitive surveys approved by the Department of Public Works.
8. **Landscaping.** The landscaping plan for the property shall incorporate the use of medians, pavers and sidewalks within and along the major drive aisles and boulevards as well as the use of decorative pavers and crosswalks at intersections. Street trees, a minimum caliper of 2 ½ inches at the time of planting, shall be planted along any spine road connecting Drybridge Road and Old Memorial Drive, at intervals of not more than 35 feet on center, unless otherwise approved at the time of Plan of Development review. A conceptual landscape plan shall be developed and submitted for review and approval by the Planning Commission at the time of Plan of Development review.
9. **Hours of Construction.** 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, and 7:30 a.m. and 5:00 p.m. on Saturday, except in emergencies or where unusual circumstances require extending the specific hours. In order to complete work such as concrete pours or utility connections; provided, however, any such exterior construction that is within 250 feet of the Pine Heights subdivision shall be limited to 9 a.m. to 4 p.m. on Saturdays. 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 disturbances activities thereon.



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10. **Access.** No direct access to and from the Property shall be permitted from and to any public roads other than Dry Bridge Road and Old Memorial Drive.
11. **Archeological Study.** The applicant shall conduct a limited Phase 1 Archeological Study on the Property prior to the first Plan of Development or subdivision approval on the Property. The applicant shall provide a copy of the report to the Director of Planning of the County and shall offer for donation to the County any artifacts found as a result of such study or the development of the Property.
12. **Road Improvements.** The following road improvements and dedications shall be made by the applicant as required by the County at the time of any Plan of Development or subdivision review, as more particularly detailed on the Traffic Impact Analysis entitled "Dry Bridge Commons, Henrico County, Virginia", prepared by Ramey Kemp & Associates and dated June 2018:
 - a. U.S. 60 (Williamsburg Road) at Dry Bridge Road:
 - 1) Construct one southbound right-turn lane on Dry Bridge Road with 200 feet of storage
 - 2) If approved by VDOT at the time of the first Plan of Development or subdivision review, install a conventional traffic signal, pursuant to VDOT standards. If a traffic signal is not approved by VDOT at such time or reserved for a future plan of development or subdivision review on the Property, construct and install such improvements to such intersection as may be approved by VDOT at the time of such Plan of Development or subdivision review.
 - 3) Upgrade left turn lane on eastbound Williamsburg Road to VDOT standards as necessary
 - b. Dry Bridge Road
 - 1) Widen the roadway of Dry Bridge Road to 26 feet from the centerline of Dry Bridge Road along (a) the boundary of the Property as it fronts Dry Bridge Road, and (b) to the extent the existing right-of-way currently exists, the boundary of any other property along the eastern right-of-way line of Dry Bridge Road from Williamsburg Road to Old Williamsburg Road
 - c. Dry Bridge Road Site Driveway 1:
 - 1) In addition to the road widening stated in 12.b.1, construct one northbound right-turn lane on Dry Bridge Road with 200 feet of storage and 100 feet of taper
 - 2) Construct Site Driveway 1 with one ingress lane and two egress lanes
 - d. Dry Bridge Road at Site Driveway 2:



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- 1) In addition to the road widening stated in 12.b.1, construct one northbound right-turn lane on Dry Bridge Road with 200 feet of storage and 100 feet of taper
 - 2) Construct Site Driveway 2 with one ingress lane and two egress lanes
- e. Old Memorial Drive
- 1) Construct curb and gutter and widen Old Memorial Drive to 18 feet from the centerline of Old Memorial Drive along the boundary of the Property as it fronts Old Memorial Drive

13. **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.

PROFFERS APPLICABLE TO THE B-2C PORTION OF THE PROPERTY:

14. **Architectural Treatment.** Any building (other than as an automotive filling station and convenience store, or a fast food restaurant with drive through) constructed on the B-2C portion of the Property shall be substantially similar to the style and design of that attached hereto as Exhibit B (4 pages). Any convenience store or a fast food restaurant shall be complementary to the other architecture of the other buildings located on the B-2C portion of the Property. The determination of compatibility shall be based on scale, materials, form, architectural features, and/or colors. Users will be permitted to include prototypical or corporate identification architectural elements in the design of their building or space.
15. **Exterior Materials.** The exposed portion of each wall surface (front, rear and sides) of any building on the property intended for occupancy by persons shall be the same as exposed portions of other exterior walls of such building in architectural treatment and materials. Exposed exterior wall surfaces of all individual buildings shall be constructed of decorative concrete block (including without limitation split face block and fluted block) tilt-up or precast concrete, stone, cast stone, granite, marble, stucco, synthetic stucco, face brick, glass, exterior insulating finishing systems (E.I.F.S.), or combination of the foregoing, unless different materials are specifically approved with respect to the exposed portion of any such wall at the time of Plan of Development. At least seventy percent (70%) of each building's exterior wall surfaces shall be comprised of materials other than stucco, synthetic stucco or exterior insulating finishing systems (E.I.F.S.), unless otherwise approved at the time of Plan of Development. At least sixty percent (60%) of each building's exterior wall surfaces (exclusive of any windows or doors) shall be comprised of face brick, cast stone or such other material as approved at time of Plan of Development.
16. **Uses.** Uses on the B-2C portion of the Property shall be limited as follows:



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- a. No more than one automotive filling station shall be permitted on the Property located as generally shown on the Concept Plan.
 - b. No more than one fast food restaurant with drive through shall be permitted on the Property, located as generally shown on the Concept Plan.
 - c. The following uses shall not be permitted on the Property:
 - 1) Hotel, motel or motor lodge;
 - 2) Funeral home, mortuary and/or undertaking establishments;
 - 3) Automotive service stations;
 - 4) Gun shop, sales and repair;
 - 5) Flea market and antique auction;
 - 6) Billboards;
 - 7) Recycling collection facility;
 - 8) Service for commercial or heavy duty trucks;
 - 9) Commercial parking lot or garage as a principal use;
 - 10) Sign printing and painting shop;
 - 11) Communication towers;
 - 12) Carwash as a principal use; and
 - 13) 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).
17. **Loud Speakers.** Outside loud speakers that can be heard beyond the Property line shall be prohibited. The use of intercom-type systems commonly associated with banks and restaurants shall be permitted.
18. **Parking lot Lighting.** Parking lot lighting fixtures shall not exceed 20 feet in height above grade level. Parking lot lighting shall be produced from concealed sources of light (i.e., shoebox type) and shall be reduced to no more than a security level following the close of business operations.
19. **Mechanical Equipment.** Mechanical equipment, including junction boxes and other exterior mechanical fixtures, shall be screened from public view at ground level from the public streets adjacent to and closest to the building, with use of buildings or structures, fencing or wall, landscaping, or such other method as may be approved at the time of Plan of Development review.



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

20. **Trash Receptacles and Dumpsters.** Dumpsters and trash receptacles, not including convenience containers, shall be screened from public view at ground level at the perimeter of the Property, with brick on three (3) sides complementary to the building it serves. The fourth (4th) side shall have a gate or door that is of a substantial and durable material as determined at the time of Plan of Development review. Support posts, gate frames, hinges and latches shall be of a sufficient size and strength to allow the gates to function without sagging or becoming a visual eyesore.
21. **Signage.** Any detached signs shall be ground mounted monumental-type signs and shall not exceed ten (10) feet in height above grade. The foundation of all ground-mounted signs shall be constructed of brick or stone and, if lighted, such signs shall be externally illuminated. No Attention Getting Device (as that item is currently defined in Section 24-3 of the Henrico County Zoning Ordinance) shall be permitted.
22. **Trash Pickup, Parking Lot Cleaning, Leaf Blowing.** Trash pickup, parking lot cleaning and leaf blowing on the property shall be limited to the hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday.
23. **Screening.** Any loading docks or outside storage areas shall be screened. Any screenings shall be done using materials that are architecturally compatible with the building(s) utilizing such storage area(s) or loading dock(s) unless otherwise approved at the time of Plan of Development review. Any service areas visible from Williamsburg Road or any major boulevard within the development shall be screened with landscaping or fencing, or combination thereof, in a manner to be approved at the time of Plan of Development review.

PROFFERS FOR THE R-5AC & RTHC PORTION OF THE PROPERTY

24. **Elevations/Architecture/Conceptual Site Plan.**
 - a. Various design elements will be incorporated to provide variety amongst individual units including, but not limited, to the following:
 - 1) varying colors of brick, brick accents (including, but not limited, to keystones, soldier courses and accent coloring different from any main brick coloring).
 - 2) varying colors of siding, and varying window designs.
 - b. The exterior walls of all dwellings shall be constructed with brick, stone, dryvit, vinyl siding, hardiplank or an equivalent, a combination thereof or such other materials approved by the Director of Planning.
 - c. All trim shall be of a low maintenance material.
 - d. All front steps shall be constructed of brick, concrete or such similar maintenance free material as approved by the County.
 - e. There shall be no more than eight (8) attached townhouse units per building.



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- f. Development of the Property shall be similar with the architectural appearance shown on the renderings entitled Exhibit C (10 pages), unless otherwise requested and specifically approved at the time of Plan of Development, subdivision, or later by the Director of Planning.
- g. At least fifty percent (50%) of the single family dwellings shall have front elevations constructed with a minimum of 30% brick or stone.
- h. All units shall have 30 year dimensional shingles.
25. **Density.** There shall be no more than 273 dwelling units developed on the Property, a maximum of 230 of which may be townhomes.
26. **Minimum House Size.** Any single family detached dwellings shall have a minimum of 1,600 square feet of finished floor area. Townhouses shall have a minimum of 1,200 square feet of finished floor area, and a minimum width of 20 feet, provided a minimum of 64 townhouse units shall have a minimum width of 28 feet.
27. **Foundations.** The exposed exterior portions of any exterior residence foundation below the first floor level which is visible above grade, shall be constructed of brick or stone (including veneer). All homes shall be built either (a) on a crawl space foundation or (b) have a minimum of one (1) foot of the exterior portions of the home above finished grade be constructed of brick or stone (including veneer). Nothing herein shall prohibit basements from being constructed for any home.
28. **Chimneys and Cantilevered Features.** No chimneys or gas vent units shall be cantilevered. The exposed portions of all fireplace chimneys shall be of brick, stone, or siding similar to the exterior treatment of the dwelling. The exposed bases of all chimneys shall be of the same material as the dwelling foundation. Architectural features may extend beyond the facade if supported by decorative corbels.
29. **Driveways.** All driveways shall be constructed of asphalt, concrete, exposed aggregate material or pavers made of brick, stone or concrete.
30. **Street Lighting.** Lighting fixtures shall be provided and shall not exceed fifteen (15) feet in height above grade level. Lighting shall be non-glare, decorative in style, and residential in character.
31. **Mail Boxes.** All improved single family lots shall be required to have a mail box and supporting post of uniform design, subject to approval of the US Postal Service. Central mail delivery boxes may be permitted as required by the US Postal Service.
32. **Trash.** There shall be no central trash receptacles.



Proffers for Conditional Rezoning (Supplemental)

County of Henrico, Virginia

4301 E. Parham Road, Henrico, Virginia 23228

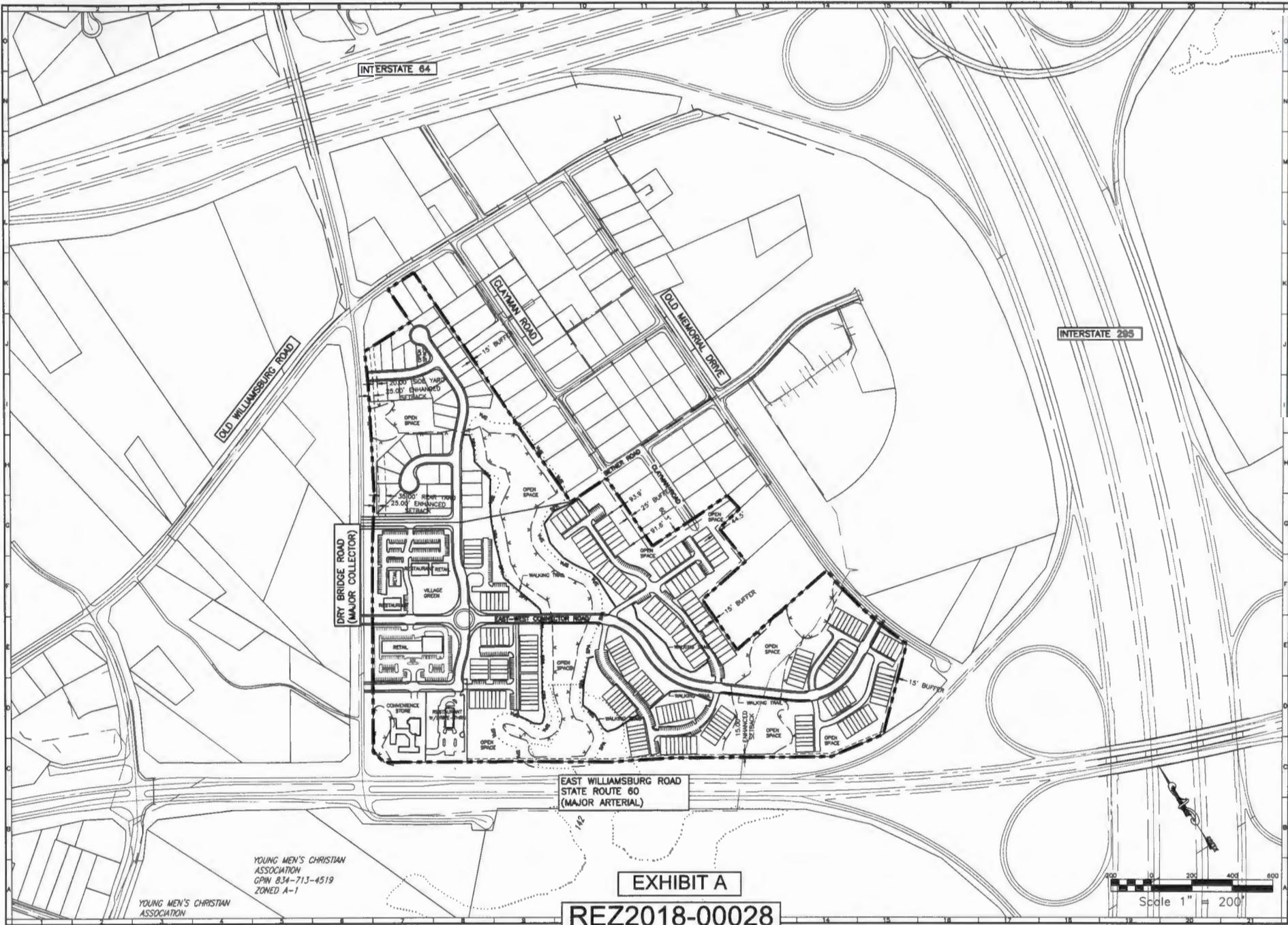
Henrico Planning Web Site: <http://www.co.henrico.va.us/planning>

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

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33. **Roads.** Prior to the issuance of the first permanent Certificate of Occupancy on the Property, the Owner shall provide the Planning Department with certification from a licensed engineering firm that any private roadways within the relevant section or phase of development were constructed according to the approved Plan of Development or subdivision and in compliance with Henrico County road design standards and specifications to include proper compaction of the sub-base soils, utility trenches, base stone and asphalt surface, but excluding road widths and turning radii. The streets in the Property shall be constructed of asphalt.
34. **Yards.** All front yards shall be sodded, exclusive of mulched flowerbeds and landscaping. An irrigation system shall be provided in all R-5AC front yards and street side yards on corner lots, and in all townhome front yards and side yards.
35. **Sidewalks.** A four foot wide sidewalk will be installed with a planting strip, a minimum of two (2) feet, between the sidewalk and the curb. This sidewalk shall be installed along the front of all lots.
36. **Sound.** Interior walls between townhouse units shall be constructed with a combination of building materials and construction techniques to provide a minimum Sound Transmission Coefficient (STC) of 54. At the time of Plan of Development review for any portion of the townhouse development, the owner or developer shall submit construction details, with an architect's or engineer's seal, demonstrating that construction will provide the proffered STC.
37. **Garages.** All single family detached units will have a minimum of a two (2) car garage either attached or detached and a minimum of 176 townhouse units will have a minimum of a one (1) car garage.
38. **Street Trees.** Street trees a minimum of 2½ inches diameter at breast height (D.B.H.) shall be installed on average every 35± feet along interior streets.
39. **House Location.** Any home within the RTHC portion of the Property adjoining the B-2C portion of the Property shall have the front of the home facing in the direction of the B-2C portion of the Property or the "East-West Connector Road", as generally shown on the Concept Plan, unless otherwise approved at the time of Plan of Development review.



YOUNG MEN'S CHRISTIAN ASSOCIATION
 GPN 834-713-4519
 ZONED A-1

YOUNG MEN'S CHRISTIAN ASSOCIATION

EXHIBIT A
REZ2018-00028



BALZER
 www.balzer.co
 Station and
 New River Valley
 Roanoke
 Staunton
 Harrisonburg

ESSENTIAL LIFE SKILLS/PROFESSIONAL SKILLS TRAINING PROGRAMS
 LIFE SKILLS AND CAREER
 LABOR FORCE DEVELOPMENT
 LIFE SKILLS
 ADDITIONAL
 PROFESSIONAL SKILLS TRAINING
 PROFESSIONAL SKILLS TRAINING
 PROFESSIONAL SKILLS TRAINING
 PROFESSIONAL SKILLS TRAINING

Balzer and Associates, Inc.
 10871 City View Drive
 Suite 200
 Midlothian, VA 23113
 804-794-0711
 FAX 804-794-2936

**PRELIMINARY
 NOT FOR CONSTRUCTION**

**DRY BRIDGE ROAD
 OVERALL CONCEPTUAL
 REZONING CONCEPTUAL**
 VIRGINIA DISTRICT
 HENRICO COUNTY, VIRGINIA

DRAWN BY: FCP
 DESIGNED BY: FCP
 CHECKED BY: FCP
 DATE: 4-18-2018
 SCALE: 1"=200'
 REVISIONS:
 5-24-2018
 6-4-2018

SHEET NO.
1 of 4
 JOB NO. 180017.00

Exhibit B
(page 1 of 4)

REZ2018-00028



Exhibit B
(page 2 of 4)

REZ2018-00028





Exhibit B
(page 4 of 4)

REZ2018-00028



Exhibit C
(page 1 of 10)

REZ2018-00028



Exhibit C
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Exhibit C
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Exhibit C
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Exhibit C
(page 8 of 10)

REZ2018-00028



Exhibit C
(page 9 of 10)

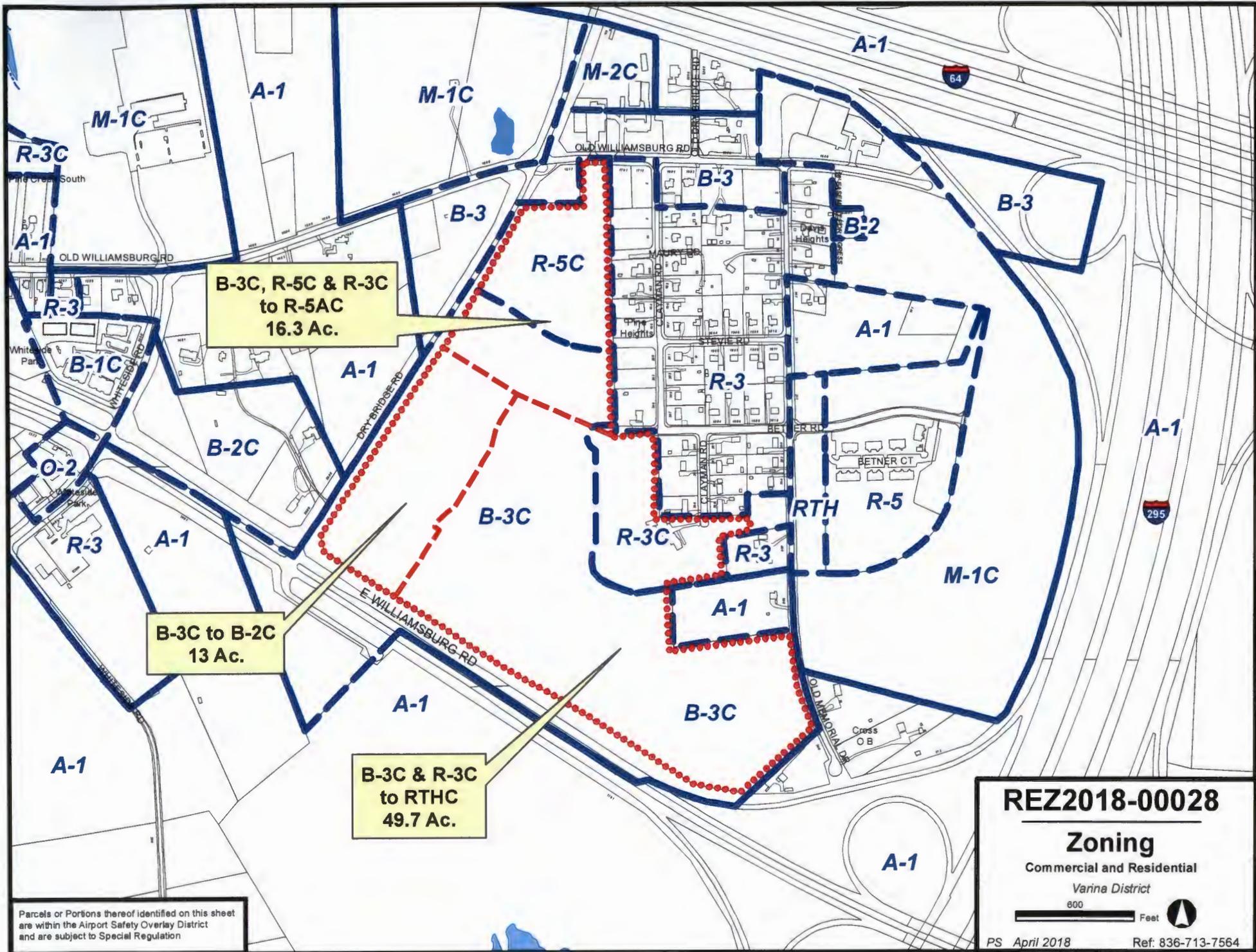
REZ2018-00028



Exhibit C
(page 10 of 10)

REZ2018-00028





**B-3C, R-5C & R-3C
to R-5AC
16.3 Ac.**

**B-3C to B-2C
13 Ac.**

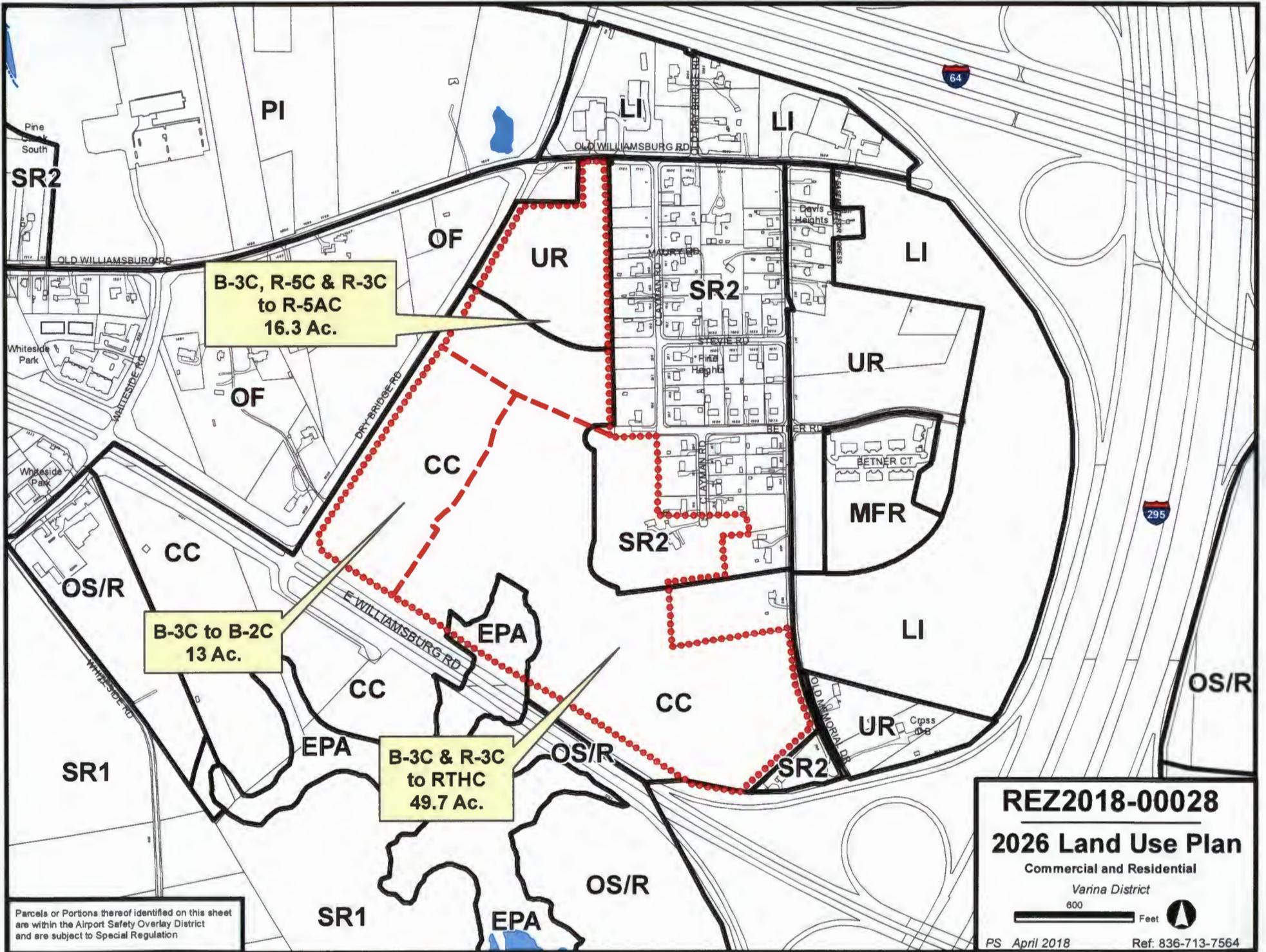
**B-3C & R-3C
to RTHC
49.7 Ac.**

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation

REZ2018-00028
Zoning
 Commercial and Residential
 Varina District

800 Feet

PS April 2018 Ref: 836-713-7564



**B-3C, R-5C & R-3C
to R-5AC
16.3 Ac.**

**B-3C to B-2C
13 Ac.**

**B-3C & R-3C
to RTHC
49.7 Ac.**

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation

REZ2018-00028
2026 Land Use Plan
 Commercial and Residential
 Varina District
 600 Feet
 PS April 2018 Ref: 836-713-7564