



REZ2019-00025

Stanley Martin Companies, LLC

Staff Report for Board of Supervisors Public Hearing
Prepared November 22, 2019

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:	September 12, 2019	Deferred at the applicant's request
	October 10, 2019	Deferred at the applicant's request
	November 14, 2019	Recommended for approval
Board of Supervisors:	December 10, 2019	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Requested Zoning:	R-6C General Residence District (Conditional)
Existing Zoning:	A-1 Agricultural District and B-3 Business District
Acreage:	64.79 Acres
Proposed Use:	Residential development with townhomes, condominiums, and villas of no more than 496 dwelling units
Location:	West line of Telegraph Road approximately 150' south of Georgia Avenue and the east line of Telegraph Road at its intersection with Georgia Avenue
Magisterial District:	Fairfield
Comprehensive Plan Recommendation:	Office/Service, Government, and Planned Industry
Parcel Numbers:	784-759-7593, 784-760-9147, 784-760-9470, 785-759-0085, 785-759-8052, 785-760-0184, 785-760-2106, 785-760-2751, 785-760-6689, 785-760-8637, 785-761-1615 and part of Parcel 784-760-1564
Zoning of Surrounding Properties:	North: R-4 One-Family Residence District and R-4C One-Family Residence District (Conditional) South: M-1C Light Industrial District (Conditional) and A-1 Agricultural District East: A-1 Agricultural District and Interstate 95 West: B-3 Business District

III. SUMMARY OF STAFF REPORT:

This is a request to conditionally rezone 64.79 acres from A-1 Agricultural District (58.71 acres) and B-3 Business District (6.08 acres) to R-6C General Residence District (Conditional) to allow the construction of a maximum of 496 dwelling units that consists of townhomes, condominiums and villas, an equivalent density of 7.66 units per acre.

The majority of the subject property is located between the east line of Telegraph Road at its intersection with Georgia Avenue and the west line of I-95. A smaller portion, approximately 6 acres, is located on the west line of Telegraph Road behind the Department of Motor Vehicles. The 2026 Comprehensive Plan recommends Office/Service, Government, and Planned Industry. The proposed use is not consistent with these designations. However, this request could be appropriate given the residential development pattern to the north and the recently approved rezoning to RTHC Residential Townhouse District (Conditional) to the south. In addition, the applicant has submitted proffers that would ensure a development compatible with the adjacent residential subdivisions while adding a variety of housing types not currently available to the area. For these reasons, staff supports this request.

The applicant held two community meetings on August 22 and October 1, 2019. Concerns discussed included stormwater/drainage; roadways, traffic and schools. Adjacent property owners requested the addition of buffers/screening to minimize the visual and noise impacts of the proposed development, which the applicant has addressed in the proffers.

At their November 14, 2019 meeting, the Planning Commission recommended approval of this request.

IV. LAND USE ANALYSIS AND IMPLICATIONS:

The 64.79-acre subject property consists of large-lot single family residences and undeveloped, wooded parcels. The majority of the site, approximately 58 acres, is located between the east line of Telegraph Road at its intersection with Georgia Avenue and the west line of I-95. A smaller portion, approximately 6 acres, is located on the west line of Telegraph Road behind the Department of Motor Vehicles.

The county's Major Thoroughfare Plan proposes Concept Road 143 (Magellan Parkway Extension) that would bisect the northern portion of the subject site. The proposed road would extend from the east line of Brook Road (U.S. Route 1) and continue eastward across Telegraph Road through the subject property, over Interstate 95 approximately one mile to Magnolia Farm Road.

Adjacent properties to the north are generally developed for residential purposes and consists of Brookwood Glen subdivision and portions of the Biltmore subdivision. Properties to the west are zoned B-3C Business District (Conditional) and M-1C Light Industrial District (Conditional) and include the Department of Motor Vehicles, a hotel, and a self-storage facility. To the south are industrial uses, zoned M-1C, large lot residential subdivisions zoned A-1, and the recently approved 115-unit townhouse development zoned RTHC. Interstate 95 bounds the property to the east with a triangular portion of undeveloped, wooded parcels, zoned A-1, located at the southernmost corner.

The applicant proposes to develop the site with a mixture of condominiums, townhomes, and villas with a proffered density of no more than 496 units, an equivalent density of 7.66 units per acre. The condominiums would be "two over two" style buildings, where two, two-story units are stacked on top of one another resulting in four story buildings. The townhomes would be three stories in height while the villas would be two stories.

As part of this 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 concept plan and detail items such as perimeter buffers, interior roadways, signage, construction hours and limitations on construction traffic, community amenities, and underground utilities. The proffers are generally consistent with those accepted with other recent developments of this type.

The proffered concept plan shows how the site would be accessed. Two points of access would be provided from Telegraph Road. The southernmost point of access would be across from the self-storage facility. The northernmost point of access would be near the Department of Motor Vehicles. The alignment of the access road would be consistent with the county's proposed Concept Road 143 (Magellan Parkway Extension). A third point of access would be provided from Brookwood Glen Terrace, which is located in the Brookwood Glen Subdivision to the northeast.

Henrico County Public Schools has indicated that the impacted schools, Longdale Elementary, Brookland Middle, and Hermitage High School, could accommodate the students anticipated to occupy this community in the future. However, some public facilities would need to be improved. The Department of Public Utilities has indicated there may be required water system upgrades in order to meet domestic water needs and fire protection.

The Department of Public Works has indicated Telegraph Road would need to be widened to its ultimate section along the subject property and may require turn lanes into the site and at Concept Road 143. A one-hundred-foot wide right-of-way for the concept road would also need to be dedicated and constructed with a 10-foot shared use path along the south side of the roadway.

Staff believes this request could be an appropriate transition from the adjacent single-family residential neighborhood to the north and the recently approved rezoning to RTHC Residential Townhouse District (Conditional) to the south. The submitted proffers could ensure a development compatible with the adjacent residential subdivisions while adding a variety of housing types not currently available to the area. For these reasons, staff supports this request.

Two community meetings were held on August 22 and October 1, 2019. Concerns discussed included stormwater/drainage; roadways, traffic and schools. Adjacent property owners requested some type of buffers/screening to minimize the visual and noise impacts of the proposed development which the applicant addresses in Proffers 18, 22, and 23.

At their November 14, 2019 meeting, the Planning Commission recommended approval of this request.

V. COMPREHENSIVE PLAN ANALYSIS:

Comprehensive Plan Recommendation:

The 2026 Comprehensive Plan recommends Office/Service, Government, and Planned Industry. The request is not consistent with these designations but could be deemed appropriate at this location given the residential development pattern to the north and the recently approved rezoning to RTHC Residential Townhouse District (Conditional) to the south.

Vision, Goals, Objectives, and Policies:

This request is most 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 and Community Character Objective 10: Use development design guidelines and standards to enhance, promote and protect a high-quality community identity and aesthetic.
- Land Use & Community Character Objective 13: Provide for the logical arrangement of land uses which offers transitions from more intense to less intense uses.

VI. PUBLIC SERVICE AND SITE CONSIDERATIONS:

Major Thoroughfare and Transportation:

The following is the approximate number of new trips expected by the proposed development of a maximum of 496 residential units: total weekday trips = 3700 (1850 in, 1850 out)

Telegraph Road will need to be widened to its ultimate section along all parcels and may require turn lanes into the sites and at Concept Road 143. All access points and median openings must meet Access Management standards and adequate sight distance will need to be demonstrated prior to plan approval. Right-of-way of 100 feet for Concept Road 143 will need to be dedicated and part of Concept Road 143 will need to be constructed as outlined in the Proffers and shown on the concept plan. A 10-foot shared use path needs to be constructed along the south side of the Concept Road 143.

Drainage:

All proposed improvements must comply with all applicable Public Works Environmental Compliance Plan requirements for a single-family residence. 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. 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 just north and south of the site, in Telegraph Road. Depending on the proposed development, there may be required water system upgrades in order to meet domestic water needs and fire protection. Additionally, there is an 8" ductile iron waterline located in an easement on the parcel to the west of Telegraph Road and is available to be extended. Additional easements will be required to extend the water. County sewer is located in Telegraph Road. The proposed use will produce flows that may exceed the projected flows on the 2026 Land Use Plan. Therefore, an analysis of the downstream sewer may be required to determine if upgrades to the sewer are needed. The developer will be required to make any needed improvements.

Schools:

The plan allocates 210 townhomes and 418 condominiums, but no more than 496 dwellings. The residences will be in the following attendance zones:

School Level	School Name	2018 Membership	Functional Capacity	RTH Student Yield Ratios Per 100 units	Condo Student Yield Ratios Per 100 units	RTH Student Yields*	Condo Student Yields*	Total Student Yields*
Elementary	Longdale	454	546	16	8	32	34	66
Middle	Brookland	1,145	1,354	8	5	17	20	36
High	Hermitage	1,579	1,850	12	8	25	31	56

*Note. At development build out.

Student yield information is created using student yield data for similar developments. Fairfield District, per 100 townhome units, generates 16 elementary students, 8 middle school students, and 12 high school students. Furthermore, Fairfield district, per 100 condominium units, yields 8 elementary students, 5 middle school students, and 8 high school students.

Based on September 30, 2018 membership and capacity figures shown above, Longdale Elementary is currently at 83.2% of capacity. The analyses shown above indicates the proposed development would potentially yield 66 total additional elementary school students. Over the next five years, membership/capacity ratios for Longdale Elementary are expected to stay below 85%. Brookland Middle is currently at 84.5% of capacity. The analyses shown above indicates the proposed development would potentially yield 36 additional middle school students. Over the next five years, membership/capacity ratios for Brookland Middle are expected to stay below 95% of capacity. Hermitage High is currently at 85.3% of capacity. The analyses shown above indicates the proposed development would potentially yield 56 additional high school students per section. Over the next five years, membership/capacity ratios for Hermitage are expected to stay under 95% of capacity. All zoned schools will be able to accommodate this development.

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.

Division of Police:

No comments.

Recreation and Parks Department:

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

Libraries:

This request falls in the service area of the North Park Branch Library. This facility should be able to handle this request. The North Park facility is 15,000 square feet and offers branch library services. Additionally, as part of the voter approved 2005 bond referendum, the nearby Glen Allen facility was renovated and expanded from 12,500 square feet to 25,000 square feet in October 2010 and can also provide service.

As these types of developments continue to be built and the projected population in the area continues to grow, the North Park Branch Library and the expanded Glen Allen Branch Library will be able to meet the 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 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 2019 000-25 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] Andrew M. Coadlin 10/24/19
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 REZ2019-00025

October 24, 2019

- 1. Concept Plan.** The Property shall be developed generally as shown on those certain plans dated October 17, 2019 and labelled as "Exhibit A", entitled "ReTreat at One", (see case file) (collectively, 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 subdivision or plan of development review of the Property. Notwithstanding the foregoing, the type of residential units shall be located as generally shown on the Concept Plan, provided the Condominiums may be replaced with Townhomes and Villas, each defined below, and the Townhomes may be replaced with Villas.
- 2. Residential Units.** The Property shall be developed with (a) townhome residential units that are attached to other townhomes by shared walls within a multi-unit building ("Townhomes"), (b) condominium residential units that are attached to other condominiums by shared walls as well as located on multiple levels ("Condominiums"), and (c) two story residential units that are attached to other units by shared walls within a multi-unit building ("Villas").

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Proffers for Conditional Rezoning (Supplemental)

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3. **Density.** There shall be no more than a total of (a) 210 Townhome units, (b) 288 Condominiums, and (c) 130 Villas. In no instance shall there be any more than 496 dwelling units located on the Property.
4. **Architecture.** To minimize visual repetition of buildings, no two adjacent Townhome or Condominium buildings shall have the same identical individual elevation sequence pattern across the front of the building. All Townhome units shall have a front porch or stoop. The side of each Townhome and Condominium end unit shall include at least two (2) windows and the rear of each unit shall include at least two (2) windows. Townhomes shall be no more than 3 stories in height, Condominiums shall be no more than 4 stories in height, and Villas shall be no more than 2 stories in height, all as shown on the Elevation Exhibit. All Townhomes, Condominiums and Villas shall have a minimum of a 1 car garage. No units will be permitted to have any rooftop terraces or porches.
5. **Elevations.** Any Townhomes constructed on the Property shall have front elevations generally in conformance with the elevations shown as "TOWNHOUSE" on the exhibit attached hereto as Exhibit B (see case file) ("Elevation Exhibit"). Any Condominiums constructed on the Property shall have front elevations generally in conformance with the elevations shown as "2-OVER-2" on the Elevation Exhibit. Any Villas constructed on the Property shall have front elevations generally in conformance with the elevations shown as "VILLAS" on the Elevation Exhibit.
6. **Building Materials.** All buildings shall have exposed exterior walls (above grade and exclusive of trim) of stone, stone veneer, brick, hardiplank, 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. 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. **Sound Suppression Measures.** Walls between dwelling units shall be constructed with a minimum certified sound transmission class (STC) of

REZONING



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fifty-four (54). A cross section detail, reviewed and approved by a certified architect or engineer as to the methodology accomplishing the STC, shall be included in the building permit application.

8. **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.
9. **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 and side 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 facades.
10. **Driveways.** Driveways for each residential unit shall be constructed of either cobblestone, brick, asphalt, pre-cast pavers, concrete or other similar materials approved by the Director of Planning.
11. **Foundation Planting.** Each Townhome and Villa shall have a minimum of four (4) shrubs planted in the front planting bed.
12. **Sidewalks.** A continuous sidewalk a minimum of four (4) feet in width shall be provided in front of all buildings.
13. **Trash.** There shall be no central trash receptacles.
14. **Recreation Facilities.** A minimum of 0.95 of an acre of passive and active recreational area shall be provided for the property and may include interior gathering spaces and workout areas. A stand-alone clubhouse for unit owners and guests recreation shall be provided for the dwelling units and shall include interior and exterior gathering spaces such as outdoor lounging area, kitchen and meeting or seating area, collaborative workspaces or a fitness center to include services such as but not limited to cardio, weights, yoga and group fitness. The clubhouse will also include a great room that can be reserved by tenants for social activities.

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The clubhouse shall be completed prior to the 100th certificate of occupancy for any dwelling unit on the Property. Other recreational facilities for use by unit owners and guests shall include a tot lot with playground equipment and open park areas and pocket parks, as generally shown on the Concept Plan.

15. **Concept Road.** Upon the request of the County, the owner shall dedicate to Henrico County the right-of-way no more than one hundred (100') wide required for an extension road as generally shown on the Concept Plan as "CONCEPT ROAD" (the "Concept Road"). Should the dedicated property not be used for a new road within thirty (30) years of the date of the dedication, title to the dedicated property will revert to the applicant or its successors in interest. Until the Concept Road is constructed by or on behalf of the County, the entrance into the development over and across the Concept Road will be constructed to public road standards with two lanes for a total of twenty-six and a half (26.5) feet in width (face of curb to face of curb), from Brook Road east past Telegraph Road to the first road crossing within the Property, as shown on the Concept Plan. A sign shall be placed at the end of the Concept Road as noted on the Concept Plan.
16. **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.
17. **Protective Covenants.** Prior to or concurrent with the recordation of the final subdivision plat 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").
18. **Construction.** The hours of exterior construction activities, including operation of bulldozers and other earthmoving equipment shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Saturday and no construction shall be permitted on Sunday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours and utility connections.

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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. Construction traffic will not be permitted to use Brookwood Glen. Construction traffic will be permitted on Telegraph Road only from its intersection with Brook Road, Mountain Road or the Property, to and from the Concept Road. Notice of such shall be provided to all contractors, including, signage.

19. **Roads.** Prior to the issuance of any final Certificate of Occupancy, the applicant shall provide the Planning Department with certification from a licensed engineer that the 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.
20. **Condominium Act.** Any Condominiums constructed on the Property shall comply with the Virginia Condominium Act.
21. **Southern Access.** At the request of the County, the owner shall grant an access and maintenance easement to connect that portion of the road designated on the Concept Plan as "FUTURE CONNECTION (BY OTHERS)" to the public right-of-way shown on the Concept Plan connecting to the Property to the south of the Property.
22. **Buffers and Setbacks.** 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. The following buffers shall be provided as follows:

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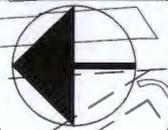
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- a. All buffers designated on the Concept Plan as "MINIMUM 20' BUFFER" shall be planted to the equivalent of a Transitional Buffer 25.
- b. All buffers designated on the Concept Plan as "MINIMUM 15' BUFFER" shall be planted to the equivalent of a Transitional Buffer 25.

Buildings shall have a minimum setback as shown on the Concept Plan.

23. **Fencing.** An opaque fence a minimum of seven (7) feet in height shall be placed in the areas shown on the Concept Plan as "PRIVACY FENCE". The exact location of any such fence shall be approved by the Planning Commission at the time of landscape plan review.
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.



ReTreat at One

OCTOBER 17, 2019



EXHIBIT A

REZ2019-00025

TOWNHOUSE



VILLAS

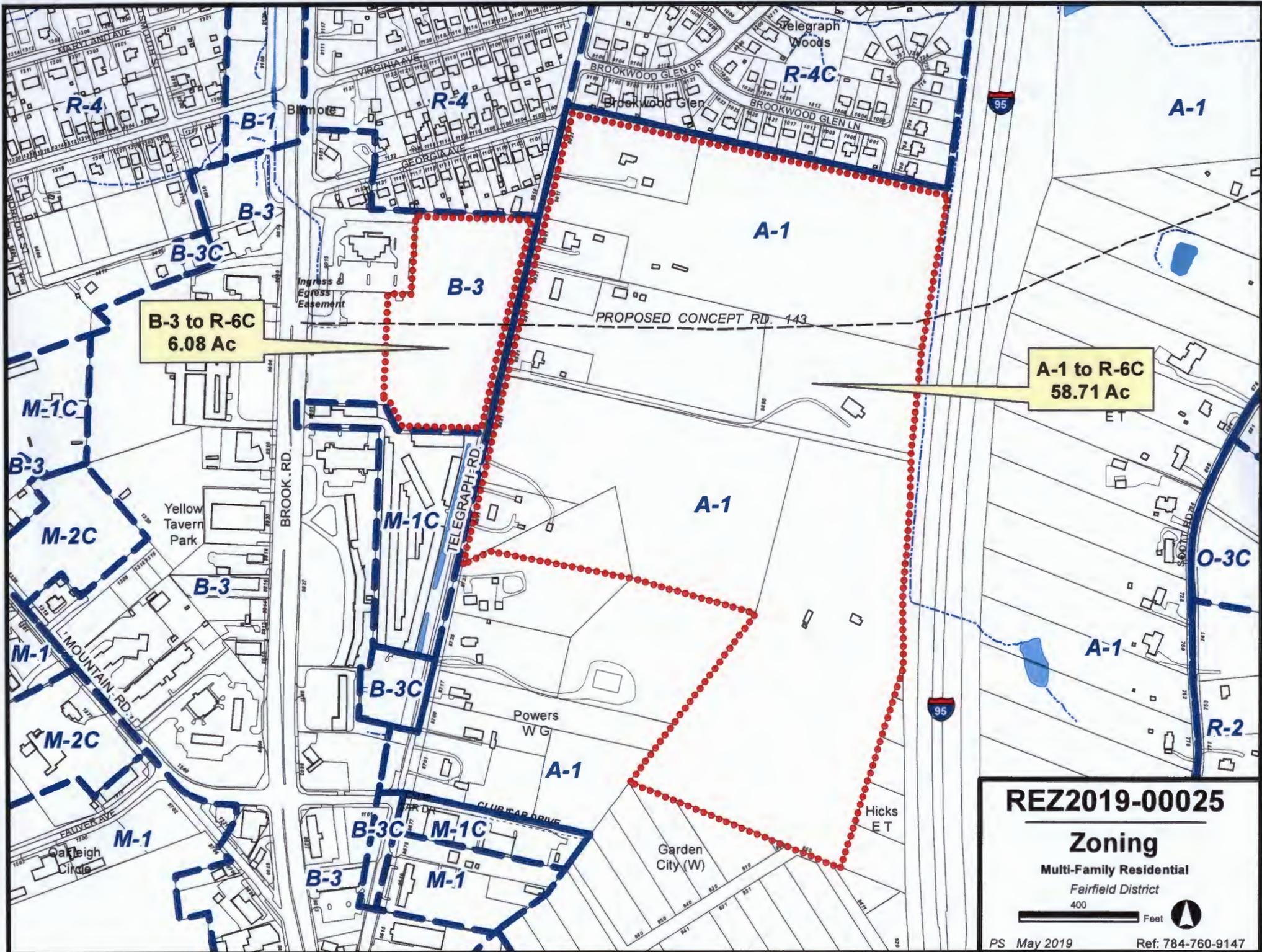


2-OVER-2



EXHIBIT B

REZ2019-00025



**B-3 to R-6C
6.08 Ac**

**A-1 to R-6C
58.71 Ac**

REZ2019-00025

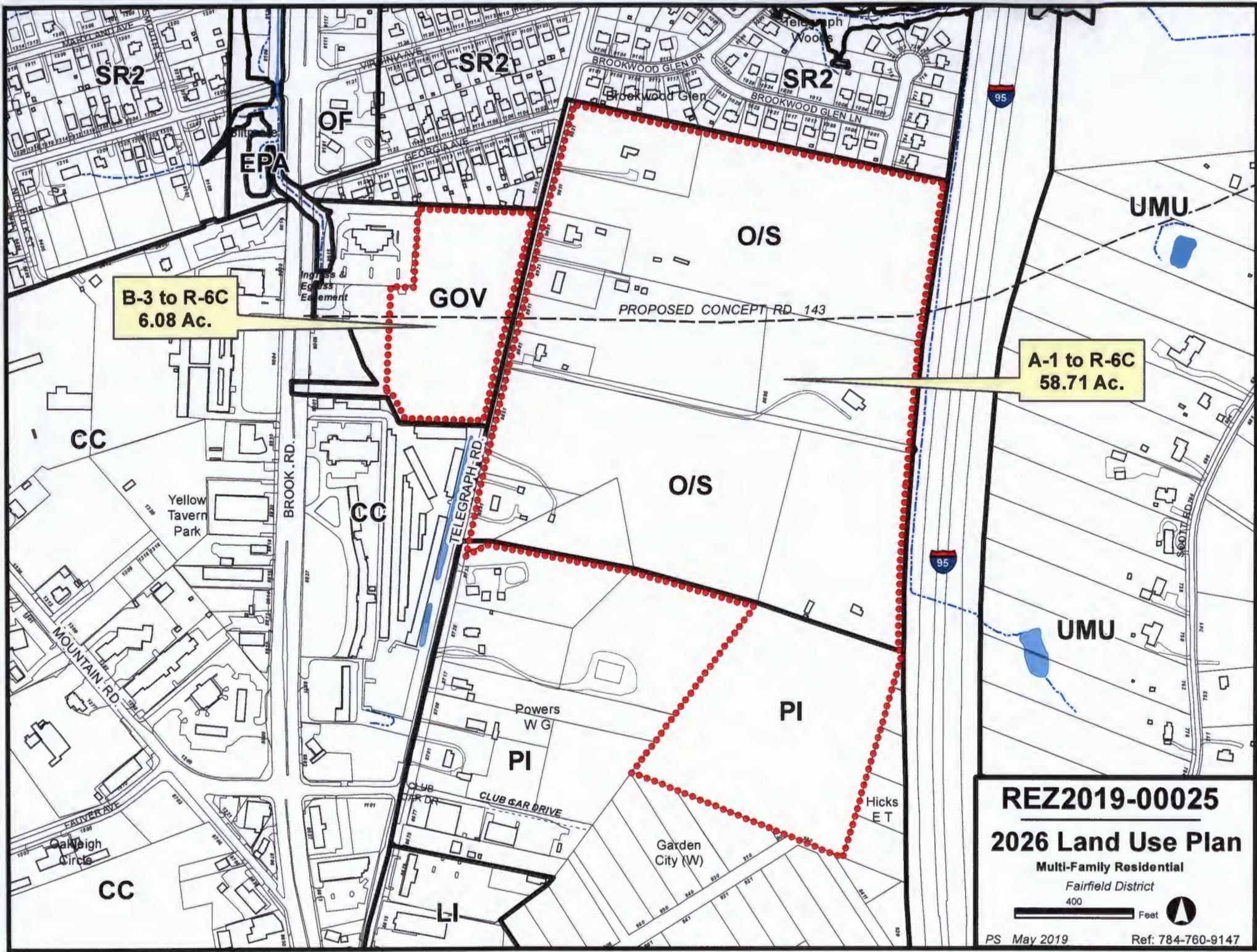
Zoning

Multi-Family Residential

Fairfield District

400 Feet

PS May 2019 Ref: 784-760-9147



**B-3 to R-6C
6.08 Ac.**

**A-1 to R-6C
58.71 Ac.**

REZ2019-00025
2026 Land Use Plan
 Multi-Family Residential
 Fairfield District

400 Feet

PS May 2019 Ref: 784-760-9147