



REZ2019-00029

Staples Mill Investments, LLC

Staff Report for Board of Supervisors Public Hearing

Prepared September 27, 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 zoning matter.

I. PUBLIC HEARINGS:

Planning Commission:	September 12, 2019	Recommended for approval
Board of Supervisors:	October 8, 2019	Pending (Deferral requested to November 12, 2019)

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Request:	R-5AC General Residence District (Conditional)
Existing Zoning:	O-2C Office District (Conditional)
Acreage:	11.074 acres
Proposed Use:	Residential community of no more than 16 detached homes on zero lot lines
Location:	North line of E. Parham Road at its intersection with Ashbury Hills Drive
Magisterial District:	Fairfield
2026 Comprehensive Plan Recommendation:	Office and Environmental Protection Area
Parcel Number:	Part of Parcel 793-760-5253
Zoning of Surrounding Properties:	North: C-1 Conservation District South: R-2AC One-Family Residence District (Conditional) East: C-1 Conservation District West: C-1 Conservation District

III. SUMMARY OF STAFF REPORT COMMENTS:

This is a request to conditionally rezone 11.074 acres from O-2C Office District (Conditional) to R-5AC General Residence District (Conditional) for a detached, zero lot line development of no more than 16 units. The site is located on the north line of E. Parham Road at its intersection with Ashbury Hills Drive. The 2026 Comprehensive Plan designates Office for a majority of the subject site. A small portion along the eastern boundary is designated Environmental Protection Area.

The applicant has submitted a conceptual plan showing the planned development, as well as a number of proffers to mitigate potential impacts associated with the proposed use. The proffers relate to site design, density, landscaping and buffering, and various architectural items. The submitted proffers should ensure a level of quality consistent with other recent developments of this type. Although the proposed use is not consistent with the site's 2026 Comprehensive Plan's designation, this request could be an appropriate transition from the adjacent single-family residential neighborhood to the office/light industrial uses to the west. For these reasons, staff supports this request.

The applicant held a community meeting on September 11, 2019. No citizens attended.

The Planning Commission recommended approval of this request at their September 12, 2019 meeting. The applicant has requested a deferral to the November 12, 2019 Board of Supervisors meeting.

IV. LAND USE ANALYSIS AND IMPLICATIONS:

The subject property consists of 11.074 acres located on the north line of E. Parham Road at its intersection with Ashbury Hills Drive. The undeveloped, triangular shaped property is primarily wooded and fronts E. Parham Road at its southern boundary. It is surrounded on the remaining three sides by wetlands and floodplain. Adjacent properties to the north, east, and west are zoned C-1 Conservation District. To the south, across E. Parham Road, is the residential subdivision Ashbury at Stoneleigh, zoned R-2AC One-Family Residence District (Conditional).

Farther west, along E. Parham Road, is Windsor Business Park zoned O-2C Office District (Conditional) and M-1C Light Industrial (Conditional). Over the past 30 years, the subject property has been included with other large-scale rezoning cases which resulted in the development of Windsor Business Park. Proffers accepted with these cases, including a site coverage proffer, are not negatively impacted by this request.

With this request, the applicant proposes to rezone 11.074 acres of the 14.3-acre parcel from O-2C to R-5AC to allow the development of 16 detached zero lot line homes. The proffered conceptual plan shows access would be provided from the north line of E. Parham Road directly across the entrance of Ashbury at Stoneleigh. The 16 lots would be located on both sides of a single cul-de-sac road and would be surrounded by environmental features shown as common area on the conceptual plan.

The applicant has also proffered a natural and/or landscape buffer 35 feet in width along the E. Parham Road frontage planted to TB35 standards with credit for existing vegetation. Staff notes this landscape buffer width is a reduction from the existing proffer that provides for a 125-foot buffer along E. Parham Road and the Windsor Business Park to the west. In 2003, this proffer was amended to reduce the landscape buffer from 125 feet to 90 feet along the Windsor Business

Park property frontage. Staff suggests that the applicant plant the 35-foot-wide buffer to a higher standard than a TB35 and recommends Planning Commission review of the landscape plan at the time of Plan of Development.

In response to Public Works' comments, the applicant has provided a proffer to provide sidewalk along the frontage of E. Parham Road where it is not constrained by existing steep grades, utilities, storm drainage, floodplain, RPA, or wetlands.

Additional proffers provide details regarding architectural features and building materials, site design features such as street trees, underground utilities, and driveways. To minimize impacts during construction, the hours of construction have been limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday. These proffers should provide for a level of development in keeping with nearby communities and ensure a level of quality consistent with other recent developments of this type.

The 2026 Comprehensive Plan recommends Office for a majority of the subject property with a small portion designated Environmental Protection Area along the eastern boundary. While development of the subject site for an office use may be the highest and best use for the site, property to the west, in Windsor Business Park, rezoned and developed as office and warehouse uses, has not completely developed. In addition, building vacancies exist within the park.

The proposed zero lot line residential development would be compatible with the Ashbury at Stoneleigh subdivision across E. Parham Road while offering an alternative housing option not currently available in the area. In addition, this request could be an appropriate transition from the adjacent single-family residential neighborhood to the office/light industrial uses to the west. For these reasons, staff supports this request.

The applicant held a community meeting on September 11th. No citizens attended.

The Planning Commission recommended approval of this request at their September 12, 2019 meeting. The applicant has requested a deferral to the November 12, 2019 Board of Supervisors meeting.

V. COMPREHENSIVE PLAN ANALYSIS:

Land Use Plan Recommendation:

The 2026 Comprehensive Plan's recommendation for future land use for the subject property is Office for the majority of the site with a small portion along the eastern boundary designated as Environmental Protection Area. The proposed use is not consistent with this designation but could be deemed appropriate as a transitional use from single family to the office/light industrial uses.

Vision, Goal, Objectives and Policies:

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

- General Development Policy 6: Encourage compatible infill, redevelopment and development in proximity to existing development and services when appropriate to avoid "leapfrog" growth patterns which may result in higher service costs.
- Land Use and Community Character Objective 3: Encourage new growth 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.

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 16 residential units:

Total weekday trips = 190 (95 in, 95 out)

Sidewalk will need to be installed along the parcel frontage. A right turn lane will need be installed on Parham Road. Access to the parcel must be directly opposite Ashbury Hills Drive. Adequate sight distance must be demonstrated at the access point.

Drainage:

All proposed improvements must comply with all applicable Public Works subdivision plan 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. It appears there may be a 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. There may be restrictions within existing non-County utility easements.

Public Utilities Services:

County water is adjacent to the southern property line, in East Parham Road. County sewer is located onsite, in an easement along the northern and eastern property lines.

Schools:

The plan allocates 16 detached zero-lot line units. These types of dwellings are considered single family residential. The residences will be in the following attendance zones:

School Level	School Name	2018 Membership	Functional Capacity	Single Family Student Yield Ratios Per 100 units	Total Student Yields*
Elementary	Chamberlayne	367	440	8	5
Middle	Brookland	1,145	1,354	5	3
High	Hermitage	1,579	1,976	8	4

**Note. At development build out.*

Student yield information is created using student yield data for similar developments. Fairfield District, per 100 single-family units, 30 elementary students, 17 middle school students, and 22 high school students. These are for single family.

Based on September 30, 2018 membership and capacity figures shown above, Chamberlayne Elementary is currently at 83.4% of capacity. The analyses shown above indicates the proposed development would potentially yield an additional 5 elementary students. Over the next five years, membership/capacity ratios for Chamberlayne Elementary are expected to stay under 90%

capacity. Brookland Middle is currently at 84.5% of capacity. The analyses shown above indicates the proposed development would potentially yield 3 additional middle school students. Over the next five years, membership/capacity ratios for Brookland Middle are expected to stay under 95%. Hermitage High is currently at 79.9% of capacity. The analyses shown above indicates the proposed development would potentially yield an additional 4 high school students. Over the next five years, membership/capacity ratios for Hermitage High are expected stay under 95%. This development along with other known new developments in this area of the county can be accommodated by the zoned elementary, middle, and high schools.

Community Revitalization:

No comments.

Division of Fire:

No comments.

Division of Police:

No comments.

Recreation and Parks:

No park or recreational facility, historical, archeological or battlefield impact.

The Virginia Department of Historic Resources has identified an archaeological site (44HE0195) on this parcel. The survey indicates this was an early American Indian site with early American artifacts collected. Much of the site has been previously disturbed. There is no further investigation of the site recommended.

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.

Topography and Land Characteristics Adaptability:

The undeveloped, triangular shaped property is primarily wooded and is surrounded on its northern, eastern, and western boundaries by wetlands and floodplains. However, there are no known topographic constraints that would impact the proposed development on the subject site.



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, County of Henrico, Virginia, P.O. Box 90775 Phone (804) 501-4602

Facsimile (804) 501-4379

Original Amended Rezoning Case No. REZ2019-00029 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:

C. Weinstock / Cindy Weinstock
Signature of Owner or Applicant / Print Name

September 26, 2019
Date

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

1. Density. There shall be no more than 16 units.
2. Architectural Treatment. Homes constructed on the Property shall be generally in conformance with EXHIBIT A attached hereto, unless otherwise requested by the owner and specifically approved by the Director of Planning.
3. Building Materials. Primary exterior wall materials (exclusive of windows, dormers, gables, doors, trim, soffit and fascia) shall be brick, stone, cultured stone, stone veneer, fiber cement siding, engineered wood, vinyl (a minimum of .042" nominal thickness as evidenced by manufacturer's printed literature), or a combination of the foregoing unless different architectural treatment and/or materials are requested by owner and approved by the Director of Planning. Fiberboard (e.g. Masonite) shall not be permitted as an exterior wall material.
4. Foundations. All finished floor areas, except basements, shall be constructed above grade or give the appearance of being constructed above grade. The exterior portions of all residential foundations, including the exterior portion of foundations below the first floor level which is visible above grade, shall be constructed of brick or stone. There shall be a minimum vertical height of twelve (12) inches of brick or stone above grade utilized on slab-on-grade foundations to present the appearance of a crawl space.
5. Fireplace Chimneys. The exposed portions of all fireplace chimneys shall be of brick or a siding similar to the exterior treatment of the dwelling. This proffer shall not apply to direct vent gas fireplaces or appliances. The exposed bases of all chimneys shall be of the same material as the dwelling foundations.
6. Stoops. Steps to the main entrance of all homes, except for homes with country porches, shall be faced with brick or stone or a cementitious, mortared stone-appearing product. Front stoops, except for homes with country porches, shall be brick or stone or a cementitious, mortared stone-appearing product with finished concrete or exposed aggregate landing. Any country porches shall have brick or stone piers to match the foundation.
7. Cantilevering. There shall be no cantilevered treatment of any architectural features on the first floor. Items on the upper floors such as balconies, decks, bump-outs, box or bay-type windows may be cantilevered, but shall include decorative supports.
8. Street Trees. Street trees with a minimum two and one half (2-1/2) inch caliper shall be planted along the sides of all internal public roads, one tree on each side for every fifty (50) feet of road length. Spacing of trees shall be adjusted as needed to accommodate driveways and underground utilities, including stormwater systems.



Proffers for Conditional Rezoning (Supplemental)

County of Henrico, Virginia

4301 E. Parham Road, Henrico, Virginia 23228

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

Mailing Address: Planning Department, County of Henrico, Virginia, P.O. Box 90775 Phone (804) 501-4602 Facsimile (804) 501-4379

9. Sod and Irrigation. Each front and side yard (to the edge of the rear of the home on corner lots adjacent to streets) shall initially be sodded and irrigated, exclusive of mulched flowerbeds and landscaping.
10. Paved Driveways. All driveways shall be paved with either exposed aggregate, concrete, asphalt, cobblestone, brick, or pre-cast pavers or other similar materials approved by the Director of Planning.
11. Conceptual Master Plan. Development of the Property shall be in general conformance with the Conceptual Master Plan attached hereto entitled "200 East Parham Road" prepared by Youngblood, Tyler & Associates P.C. attached hereto as EXHIBIT B (the "Concept Plan"), which Concept Plan is conceptual in nature and may vary in detail, unless otherwise requested and specifically approved at the time of Plan of Development and/or subdivision review.
12. Parham Road Buffer. A natural and/or landscaped buffer of thirty-five (35) feet in width for landscaping and/or natural areas beside Lot 1 and 16 as shown on the Concept Plan where not impeded by wetlands, floodplain, severe slope or existing vegetation as determined at the time of landscape plan review, shall be provided adjacent to the right-of-way line of Parham Road and planted to TB-35 standards with credit for existing vegetation except to the extent necessary for drainage and utility easements, signage and other purposes requested and specifically permitted, or if required, at the time of Plan of Development and/or subdivision review, or by any other governmental body. Any drainage and utility easements (other than existing drainage and utility easements) permitted within the aforesaid buffer area shall be extended generally perpendicular to the buffer area unless otherwise requested and specifically permitted or if required by the County at the time of landscape plan review.
13. Minimum Lot Width. The minimum lot width shall be fifty-five (55) feet at the actual front building line.
14. Sidewalk. A five (5) foot sidewalk for pedestrian access shall be constructed along the Property's Parham Road frontage from guardrail to guardrail solely in the locations shown on the attached Exhibit C where not constrained by existing steep grades, utilities, storm drainage, floodplain, RPA or wetlands and subject to all applicable governmental approvals.
15. Hours of Construction. The hours of site work construction shall be between 7:00a.m. and 7:00 p.m. Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours and utility connections. For purposes of this proffer, site work is defined as any construction work shown on approved construction plans for the initial construction of roads, utilities, infrastructure and the respective exteriors of structures. Hours shall be posted in both English and Spanish until the roads are accepted by Henrico County for maintenance.
16. Restrictive Covenants. Prior to or concurrent with the recording of the subdivision plat approved by the County, restrictive covenants describing development controls and maintenance of the property shall be recorded in the Clerk's Office of the Circuit Court of Henrico County.
17. Underground Utilities. Except for junction boxes, meters, pedestals, transformers, transmission mains and existing overhead utility lines, and for technical and environmental reasons, all utility lines shall be underground.
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.

EXHIBIT A



PROPOSED ELEVATIONS



EXHIBIT A

REZ2019-00029



EXHIBIT C



Henrico County GIS Viewer

GIS Office Download GIS D.



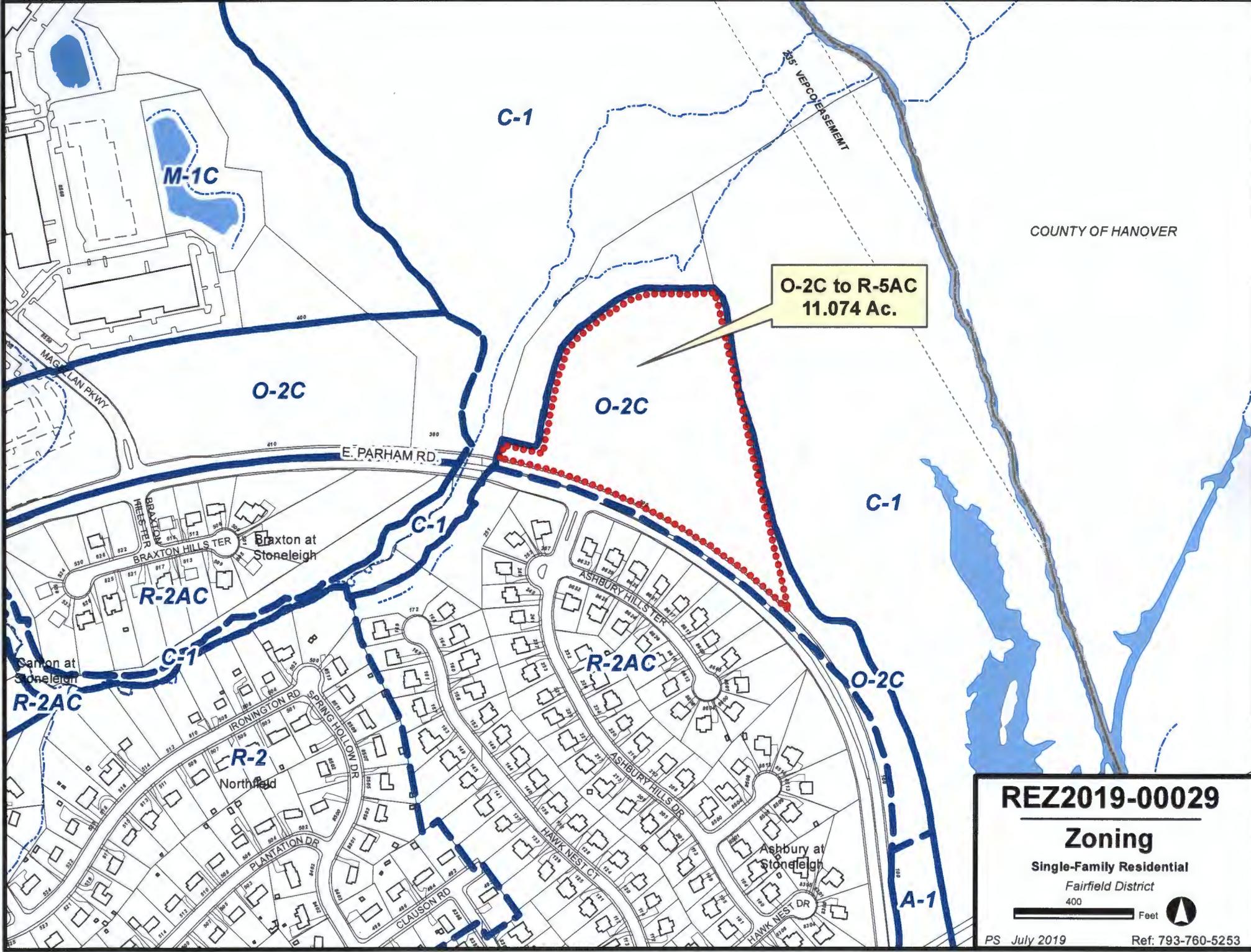
NOT TO SCALE

App State

Click to restore the map extent and layers visibility where you left off.

1000
-77.425 37.646 Degrees

REZ2019-00029



COUNTY OF HANOVER

O-2C to R-5AC
11.074 Ac.

REZ2019-00029

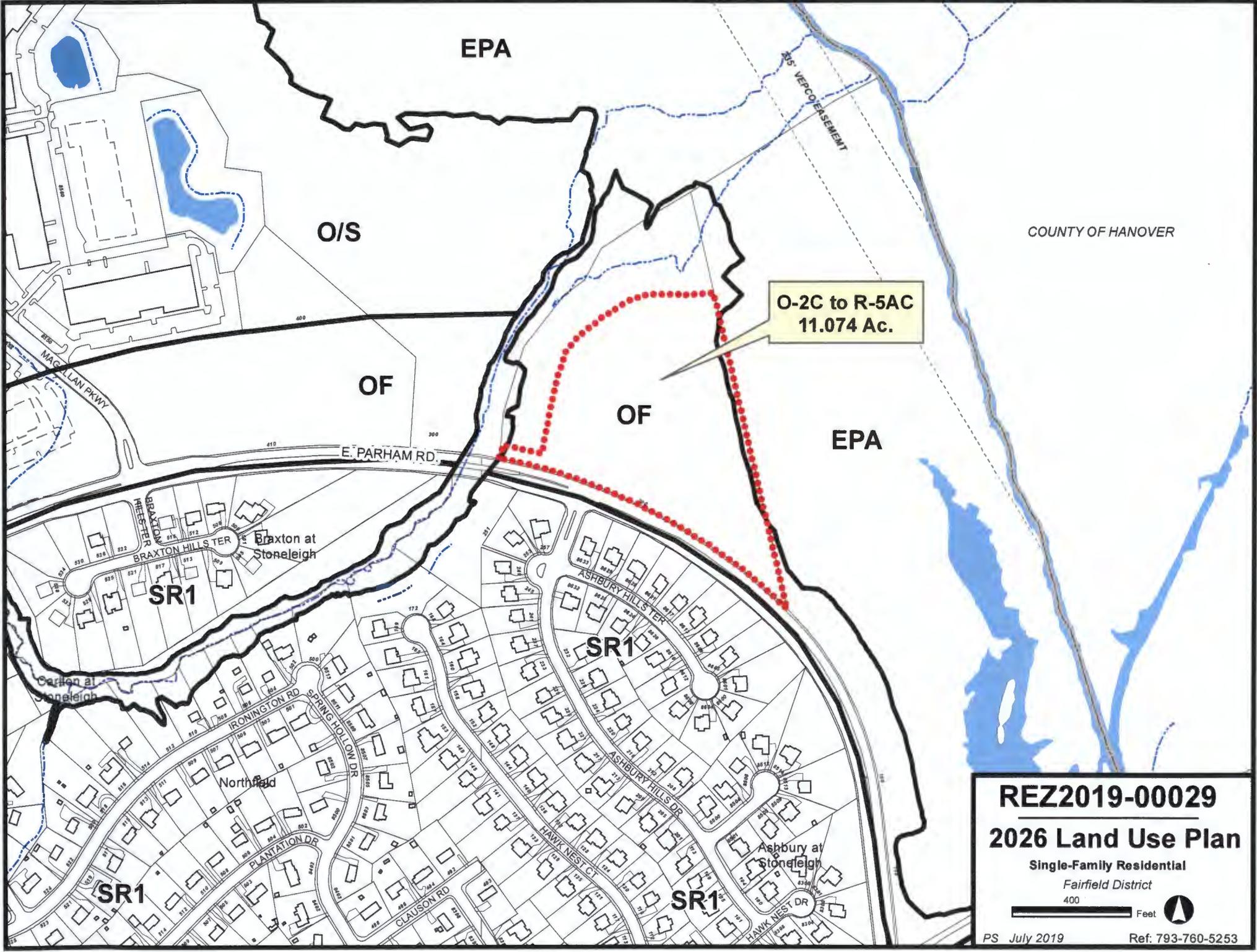
Zoning

Single-Family Residential
Fairfield District



PS July 2019

Ref: 793-760-5253



EPA

O/S

COUNTY OF HANOVER

O-2C to R-5AC
11.074 Ac.

OF

OF

EPA

E. PARHAM RD.

SR1

SR1

SR1

SR1

REZ2019-00029

2026 Land Use Plan

Single-Family Residential

Fairfield District

400

Feet



PS July 2019

Ref: 793-760-5253