



# REZ2020-00041

## Hundred Acre Woods, Inc.

Staff Report for Board of Supervisors Public Hearing  
Prepared April 2, 2021

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

### **I. PUBLIC HEARINGS:**

<b>Planning Commission:</b>	January 14, 2021 February 11, 2021 March 11, 2021	Deferred by Planning Commission Deferred by Applicant Recommend Approval
<b>Board of Supervisors:</b>	April 13, 2021	Pending

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

<b>Requested Zoning:</b>	R-5AC General Residence District (Conditional)
<b>Existing Zoning:</b>	A-1 Agricultural District
<b>Acreage:</b>	33.62 acres
<b>Proposed Use:</b>	Residential development of detached dwellings
<b>Location:</b>	The northern terminus of Opaca Lane.
<b>Magisterial District:</b>	Three Chopt
<b>Comprehensive Plan Recommendation:</b>	Suburban Residential 2 and Environmental Protection Area
<b>Parcel No.:</b>	752-773-1086
<b>Zoning of Surrounding Properties:</b>	North: Chickahominy River and Hanover County South: R-3C One-Family Residence District (Conditional), C-1C Conservation District (Conditional), A-1 Agricultural District East: A-1 Agricultural District West: R-3C One-Family Residence District (Conditional), C-1C Conservation District (Conditional)

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

The applicant is proposing to conditionally rezone 33.62 acres from A-1 Agricultural District to R-5AC General Residence District (Conditional) for a residential subdivision of detached homes. The property is located at the northern terminus of Opaca Lane adjacent to the Holloway at Wyndham subdivision. The applicant has also submitted a companion provisional use permit to allow adjustable side yard setbacks. The details of that request are found in the staff report for PUP2021-00006.

The Comprehensive Plan recommends Suburban Residential 2, with a recommended maximum density of 3.4 units per acre, and Environmental Protection Area uses for the site. With detached homes and an overall density of 2.2 units/acre, the proposed use is consistent with the recommendation of the comprehensive plan. The applicant has submitted proffers, a conceptual plan and elevations to ensure compatibility with adjacent residential development. For these reasons, staff supports this request.

At their March 11, 2021 meeting the Planning Commission recommended approval of this request. A community meeting for these cases was held virtually on December 16, 2020. That meeting had an attendance of over 30 people.

### **IV. LAND USE ANALYSIS AND IMPLICATIONS:**

The subject site totals 33.62 acres on one parcel, 752-773-1086, and is currently used for horse stables and a riding facility. This request is to conditionally rezone to R-5AC, General Residence District (Conditional), to allow up to 75 detached units. The adjacent residential neighborhoods are zoned R-3C. There is a R-5AC development, rezoned via REZ2015-00014, approximately a quarter of a mile to the south.

The property is located at the northern terminus of Opaca Lane, where the Holloway at Wyndham subdivision ends. This access to the subject property was improved in conjunction with rezoning case REZ2013-00014. Access to the parcel is also provided through the same subdivision at the northern terminus of Maben Hill Lane. The subdivision also borders the subject parcel to the northwest. There is a significant area of environmentally sensitive land to the north and east, across which is Hanover County and the County's landfill, which is no longer active.

The applicant is proposing a residential community and has submitted proffers, dated March 19, that address many of the topics typically accepted with similar residential developments. This includes but is not limited to varied homes styles and proffered elevations, building and driveway materials, plantings, sidewalks and construction hours. Based on the maximum number of units that have been proffered, 75, the density for the project would be 2.23 units/acre. The proffered conceptual plan shows how the 75 units would be arranged. Houses would have a minimum of a one-car garage, and a minimum square footage of 2,400 square feet with an average of 2,700 square feet. The applicant has proffered crawl spaces and foundations, in a manner consistent with the pattern of development set by adjacent existing development.

Lots would have a minimum width of 60 feet and street trees would be planted at regular intervals (no more than 40 feet on center). The applicant has also submitted companion case, PUP2021-00006, to allow adjusted side yard setbacks. In conjunction with potential change of side yard setbacks, the applicant has submitted a conceptual plan that would accommodate side yards versus zero-lot lines and depicts lot configurations that are more consistent with the

adjacent development. The areas of the project determined to be in the flood plain would be rezoned to C-1, Conservation District, and recreational amenities would be provided.

A community meeting for this request was held virtually on December 16, 2020. That meeting had an attendance of over 30 people. Discussion at the community meeting centered on public school capacity, consistency with the existing development, pedestrian facilities, traffic, and a general desire to not have any development happen. The proffers (revised since the community meeting) address these issues, and the applicant filed the companion PUP to allow a more consistent lot layout between the two developments. Additionally, discussions have been held between the Board of Supervisors, School Board, and County Manager's office on options to provide capacity relief in this area of the county. Staff believes the concerns regarding school capacity have been addressed as part of this process.

The Comprehensive Plan recommends Suburban Residential 2 and Environmental Protection Area uses for the site. The residential use and an overall density of 2.2 units/acre, generally fits the recommendation of the plan. The applicant has submitted proffers, a conceptual plan and elevations, and applied for a companion provisional use permit for adjustable side yard setbacks. These items address topics typically covered by other nearby residential zonings and would continue a generally consistent development pattern to adjacent existing development. For these reasons, staff supports this request.

At their March 11, 2021 meeting the Planning Commission recommended approval of this request.

#### **V. COMPREHENSIVE PLAN ANALYSIS:**

##### ***Land Use Plan Recommendation:***

The 2026 Comprehensive Plan recommends Suburban Residential 2 and Environmental Protection Area for the subject site. The proposed residential uses, properly mitigated, would be consistent with these designations.

##### ***Goals, Objectives and Policies:***

This request is most consistent with the following:

- Land Use and Community Character Goal 9. Promote diverse housing types that meet the needs of a demographically diverse population.
- Land Use and Community Character Goal 13. Provide for the logical arrangement of land uses which offers transitions from more intense to less intense uses.
- Land Use and Community Character Goal 17: Encourage compatible land use adjoining other jurisdictional boundaries.

#### **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 75 single family homes:

Total weekday trips = 800 (400 in, 400 out)

Two points of access are required to the development as shown on the concept plan. The surrounding roadway network can accommodate the increase in traffic. Public streets shall

meet the minimum horizontal curve design and shall not have a 90-degree curve. Cul-de-sacs are required at the end of all dead-end streets.

**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.
- No more than 50 residential lots are allowed upon a single access point.
- Traffic Engineering will determine if any right-of-way dedication or road improvements are required.
- There may be restrictions within existing non-County utility easements.
- 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:**

Water is in the two roads that stub into the property. Sewer is on the property along the NE and SE property lines.

**Schools:**

The plan allocates 75 single family units. The residences will be in the following school attendance zones:

School Level	School Name	2019 Membership	Functional Capacity	Single Family Student Yield Ratios Per 100 units	Total Student Yields*
Elementary	Rivers Edge	780	724	40.3	30.23
Middle	Holman	937	1,058	26.1	19.58
High	Deep Run	1,765	1,850	31.1	23.33

*\*At Development Buildout*

HCPS typically projects a development’s impact on school capacity using historical student yield data by development type and magisterial district. Traditional single-family units in the Three Chopt District, per 100 units would yield 40.3 elementary students, 26.1 middle school students, and 31.1 high school students. Townhome family units in the Three Chopt District, per 100 units would yield 17.5 elementary students, 8.9 middle school students, and 8.9 high school students.

Based on September 30, 2019 membership and capacity figures shown above, Rivers Edge Elementary is currently at 107.7% of capacity. The analyses shown above indicates the proposed development would potentially yield 30.23 additional elementary school students. Over the next five years, membership/capacity ratios for Rivers Edge Elementary are expected to increase to over 130% of capacity. Trailers, redistricting, additional instruction space, or other capacity relief options will be needed to accommodate students

Holman Middle is currently at 94.3% of capacity. The analyses shown above indicates the proposed development would potentially yield 13.12 additional middle school students. Over

the next five years, membership/capacity ratios for Holman Middle are expected to stay below 95% of capacity.

Deep Run High is currently at 98.1% of capacity. The analyses shown above indicates the proposed development would potentially yield 14.32 additional high school students. Over the next five years, membership/capacity ratios for Deep Run are expected to exceed 100%. Trailers, redistricting, and/or other capacity relief options will be needed in the future at the high school level.

***Division of Fire:***

The Division of Fire does not have any comments on the request as currently proposed.

***Division of Police:***

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

***Recreation and Parks Department:***

There is no known park or recreation facilities, historical, archeological or battlefield impacts. Staff notes early owners, the Holloways, invited the Henrico County Historical Society cemetery committee to their property and pointed out an area where they believed there were unmarked graves in a grove of trees at the front entrance of their drive. Further research on the property would need to be conducted to determine if there are burials. Our remarks are to alert the developer there may be a cemetery on the property.

***Libraries:***

This request falls within the service area of the Twin Hickory Area Library, which is open 66 public service hours per week and offers a full array of services. As these types of developments continue to be built and the population in the area continues to grow, Twin Hickory Area Library can meet the increased service demands.

***General Services:***

No Comments

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

There are no known topographical or environmental features that would eliminate development of the site as proposed. There is the potential presence of steep slopes and wetlands on portions of the property and the proposed development should address those areas accordingly.





## 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

5. **Minimum House Size.** Dwelling units shall have a minimum of 2,400 square feet of finished floor area, provided the average of all dwelling units constructed on the Property shall be a minimum of 2,700 square feet.
6. **Building Materials.** All dwelling units shall have exposed exterior walls (above grade and exclusive of trim) of stone, stone veneer, brick, hardiplank, 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 subdivision or plan of development review.
7. **Chimneys.** The exposed portions of all fireplace chimneys shall be of brick, stone, cultured stone, or siding similar to the exterior treatment of the building. The exposed bases of all chimneys shall be of the same material as the dwelling foundation. This proffer shall not apply to direct-vent gas fireplaces or appliances.
8. **Foundations.** All dwelling units on the Property shall be constructed with crawl space foundations except for those dwelling units with basements, and as may otherwise be approved at the time of plan of development or subdivision review. No garages will be required to have foundations. The exterior portion of the foundations below the first-floor level which is visible above grade shall be finished with full standard brick or stone unless otherwise approved by the Director of Planning. Dwelling units not built on a crawl space foundation shall be faced with a minimum one (1) foot full standard brick or stone foundation.
9. **Garages.** All dwelling units shall have a minimum of a one (1) car garage.
10. **Driveways.** Driveways for each dwelling 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 dwelling unit 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 on at least one side of each street.





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13. **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 or applicable governmental authority.
14. **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"). The Association may be a part of a larger association encompassing more property than just the Property.
15. **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 7:00 p.m. Monday through Friday, 9:00 a.m. and 7:00 p.m. on Saturdays, 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. 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.
16. **Street Trees.** Street trees, a minimum caliper of 2 ½ inches at the time of planting, shall be planted along any street or on a lot adjoining the public right-of-way within the Property, at intervals of not more than 40 feet on center, unless otherwise approved at the time of subdivision or plan of development review. A conceptual landscape plan shall be developed and submitted for review and approval at the time of subdivision or plan of development review.
17. **Lot Widths.** Lots developed on the Property shall be a minimum of 60 feet in width.
18. **C-1 Conservation District.** Prior to filing the final subdivision plan on the Property, the Owner/Applicant shall apply to rezone such portions of the Property situated within the 100-year floodplain/special flood hazard





## Proffers for Conditional Rezoning (Supplemental)

County of Henrico, Virginia

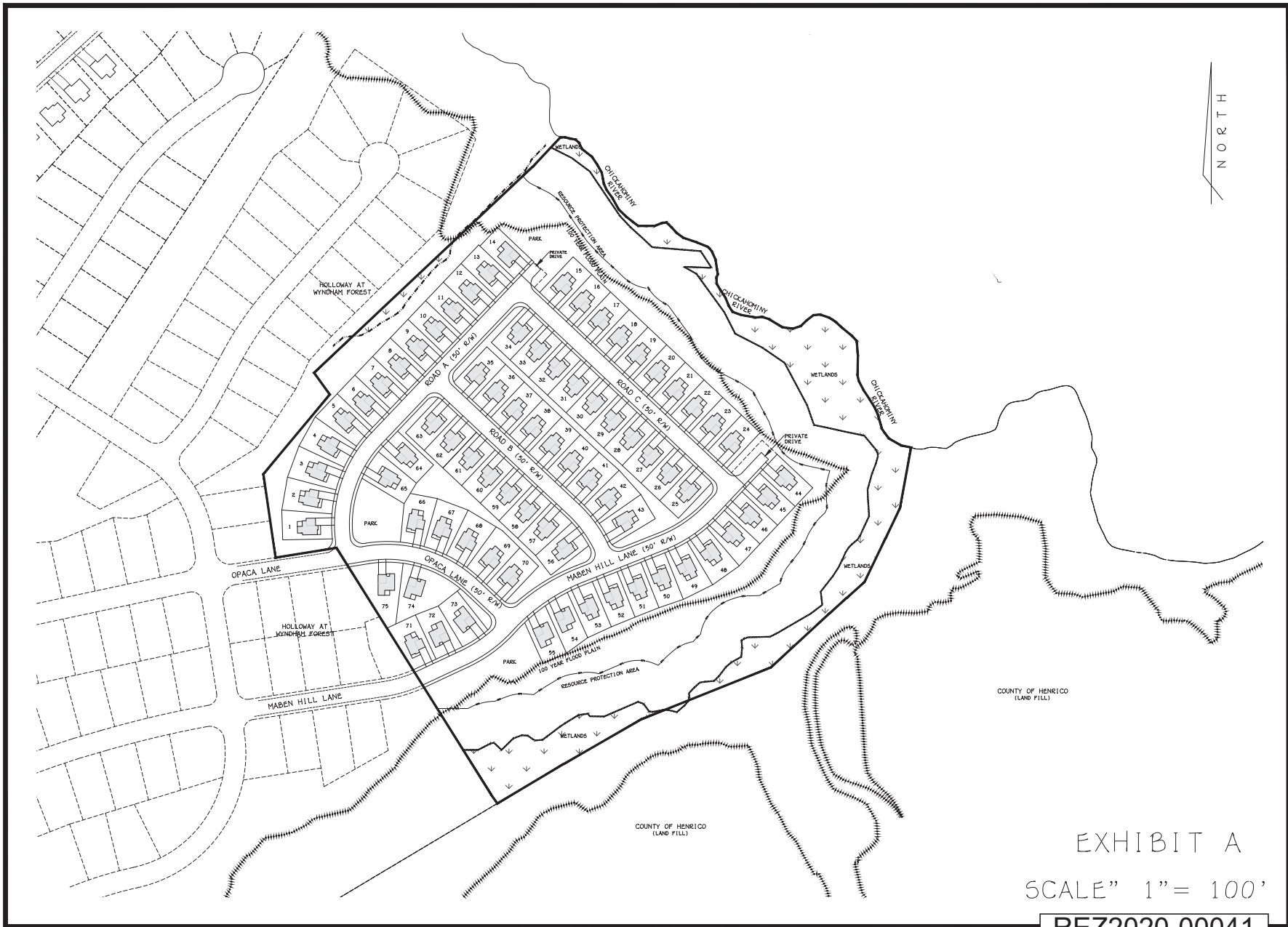
4301 E. Parham Road, Henrico, Virginia 23228

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

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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.

19. **Amenities.** Recreational amenities for use by dwelling unit owners and guests shall include a tot lot with playground equipment or a gathering area (with a gazebo or pavilion and amenities such as grill and tables, meeting area, play areas, benches or as otherwise approved at the time of subdivision or plan of development review), and to be located in an open park area, as generally shown on the Concept Plan. Trails and walkways shall be provided on the Property for common use of dwelling unit owners and their guests and when possible will tie into sidewalks adjoining the Property.
20. **Elevations.** Development of dwellings on the Property shall be similar to the architectural appearance shown on the renderings on Exhibit B, dated March, 2021 (see case file), unless otherwise requested and specifically approved at the time of subdivision or plan of development review or later by the Director of Planning.
21. **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.



NORTH

THIS DRAWING IS THE PROPERTY OF THE BAY COMPANIES INC. AND IS NOT TO BE REPRODUCED OR USED FOR ANY PROJECT IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN PERMISSION.

FILED: 2021\_concept\_plans  
 DATE: January 20, 2021  
 REVISED:  
 REVISED:  
 REVISED:



8500 HILL OXNEK ROAD  
 MECHANICSVILLE, VA 23116  
 (804) 566-7060  
 FAX: (804) 568-7061

PROJECT:

**Turner Farm**  
 10915 OPACA LANE  
 Three Chopt District  
 Henrico County, Virginia

SHEET:  
 Concept Plan

SHEET NO:  
 C1

JOB NO. 20021

EXHIBIT A  
 SCALE" 1" = 100'

REZ2020-00041



EXHIBIT B REZ2020-00041





EXHIBIT B REZ2020-00041





EXHIBIT B

REZ2020-00041



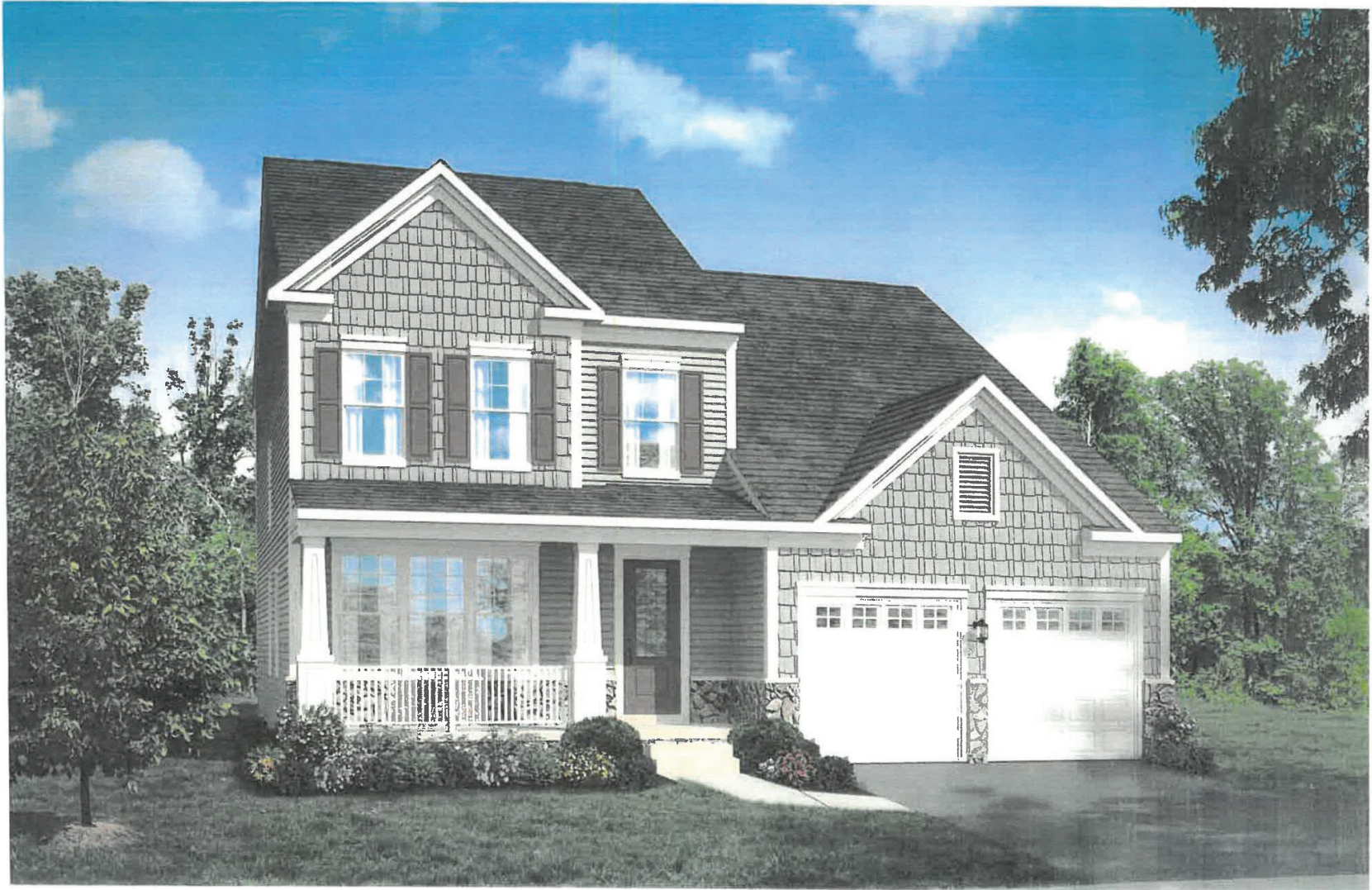


EXHIBIT B REZ2020-00041

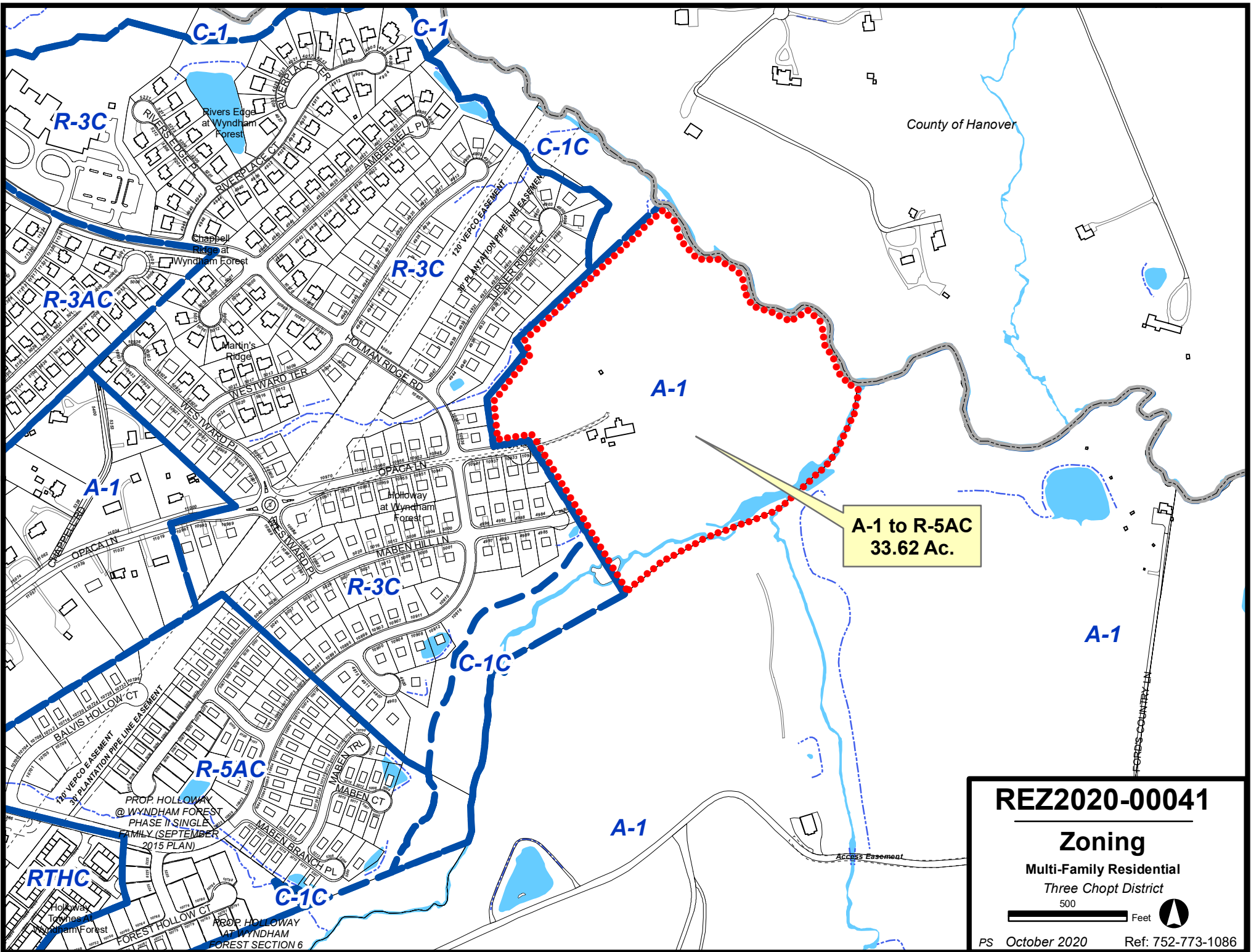




EXHIBIT B REZ2020-00041







**A-1 to R-5AC  
33.62 Ac.**

**REZ2020-00041**

**Zoning**

**Multi-Family Residential  
Three Chopt District**

