



REZ-2024-100107

RJM Land, LLC

Staff Report for Board of Supervisors Public Hearing
Prepared April 1, 2024

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:	March 14, 2024	Recommended for Approval
Board of Supervisors:	April 9, 2024	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Proposed Zoning:	C-1C Conservation District (Conditional)
Existing Zoning:	R-5AC General Residence District (Conditional)
Acreage:	1.657 acres
Proposed Use:	Conservation Area
Location of Property:	North line of Mountain Road approximately 405' northwest of its intersection with Woodman Road
Magisterial District:	Fairfield
Comprehensive Plan Recommendation:	Suburban Residential 1, density should not exceed 2.4 units per acre and Environmental Protection Area
Parcel Numbers:	Parts of 775-767-7623 and 775-767-9166
Zoning of Surrounding Properties:	North: A-1 Agricultural District, R-5AC General Residence District (Conditional) South: A-1 Agricultural District East: A-1 Agricultural District West: R-5AC General Residence District (Conditional)

III. SUMMARY OF STAFF REPORT COMMENTS:

This is a request to conditionally rezone 1.657-acres from R-5AC General Residence District (Conditional) to C-1C Conservation District (Conditional). The subject parcels are located southeast of Section 1 of the Greenhouse subdivision, associated with rezoning case REZ2021-00065, that is under construction. Proffer 22 accepted that rezoning case requires the applicant to request rezoning to C-1C for areas located within the 100-year floodplain prior to filing the final subdivision plan on the property.

The 2026 Comprehensive Plan designates these parcels for Suburban Residential 1 and Environmental Protection Area. This request is consistent with the Environmental Protection Area designation and the proffers accepted with rezoning case REZ2021-00065. For these reasons, staff supports this request.

At their March 14, 2024 meeting, the Planning Commission recommended approval of this request.

IV. LAND USE ANALYSIS AND IMPLICATIONS:

The 1.657-acre subject site is located on the north line of Mountain Road and contains two parcels partially located within the 100-year floodplain. Adjacent uses include Section 1 of the Greenhouse subdivision, which is also associated with rezoning case REZ2021-00065.

On January 25, 2022 the Board of Supervisors approved REZ2021-00065, which rezoned 30.45 acres to R-5AC General Residence District (Conditional) to allow up to 50 detached single-family homes. A plan of Development, POD2022-00047, for the proposed development was approved on May 25, 2022.

Proffer 22 accepted with the rezoning case requires the applicant to rezone areas located within the 100-year floodplain to C-1C, Conservation District (Conditional), prior to filing the final subdivision plan on the property. This request would serve to address the requirements of this proffer. In addition to the general code requirements for conservation areas, Proffer 1 submitted with this request, outlines the permitted uses on the property.

The 2026 Comprehensive Plan recommends this site for Suburban Residential 1 and Environmental Protection Area. This request is consistent with the Environmental Protection Area designation and the proffers accepted with rezoning case REZ2021-00065. For these reasons, staff supports this request.

At their March 14, 2024 meeting, the Planning Commission recommended approval of this request.

V. COMPREHENSIVE PLAN ANALYSIS:

Comprehensive Plan Recommendation:

The 2026 Comprehensive Plan recommends Suburban Residential 1 and Environmental Protection Area. This request would be consistent with the Environmental Protection Area designation.

Vision, Goal, Objectives, and Policies:

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

- General Development Policy 11: Encourage developments to be designed to minimize disruption to life and property resulting from erosion and flooding.

- Natural, Cultural, & Historic Resources Goal 2: Natural resources that are protected and enhanced for the long-term enjoyment of current and future generations.
- Natural, Cultural, & Historic Resources Objective 11: Discourage development in areas where the land's physical limitations may threaten the safety, health, and welfare of residents.

VI. PUBLIC SERVICE AND SITE CONSIDERATIONS:

Major Thoroughfare and Transportation:

Traffic Engineering has no objections to this request.

Drainage:

No comments.

Public Utilities:

Conservation area in new subdivision.

Department of Community Revitalization:

No comments received on this request.

Schools:

This rezoning case does not propose any residential development nor are any educational impacts projected.

Division of Fire:

No comments.

Division of Police:

Based on the information provided, the Police Division has no comments on this case.

Recreation and Parks:

No park or recreation facilities, historical, or archeological impact.

There is a cemetery, known as the Whitehurst, Lucas, and Orange family cemetery, located on this property – for information only. The property falls within the Civil War Battlefield area identified by the Virginia Department of Historic Resources as: 043-5108 Yellow Tavern Battlefield – for information only.

Libraries:

No Comments.

Topography and Land Characteristics Adaptability:

This request would be consistent with the property's location within the 100-year floodplain.



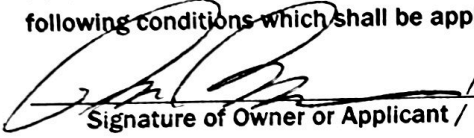
Proffers for Conditional Rezoning County of Henrico, Virginia

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. 2024-10017 Magisterial District Fairfield

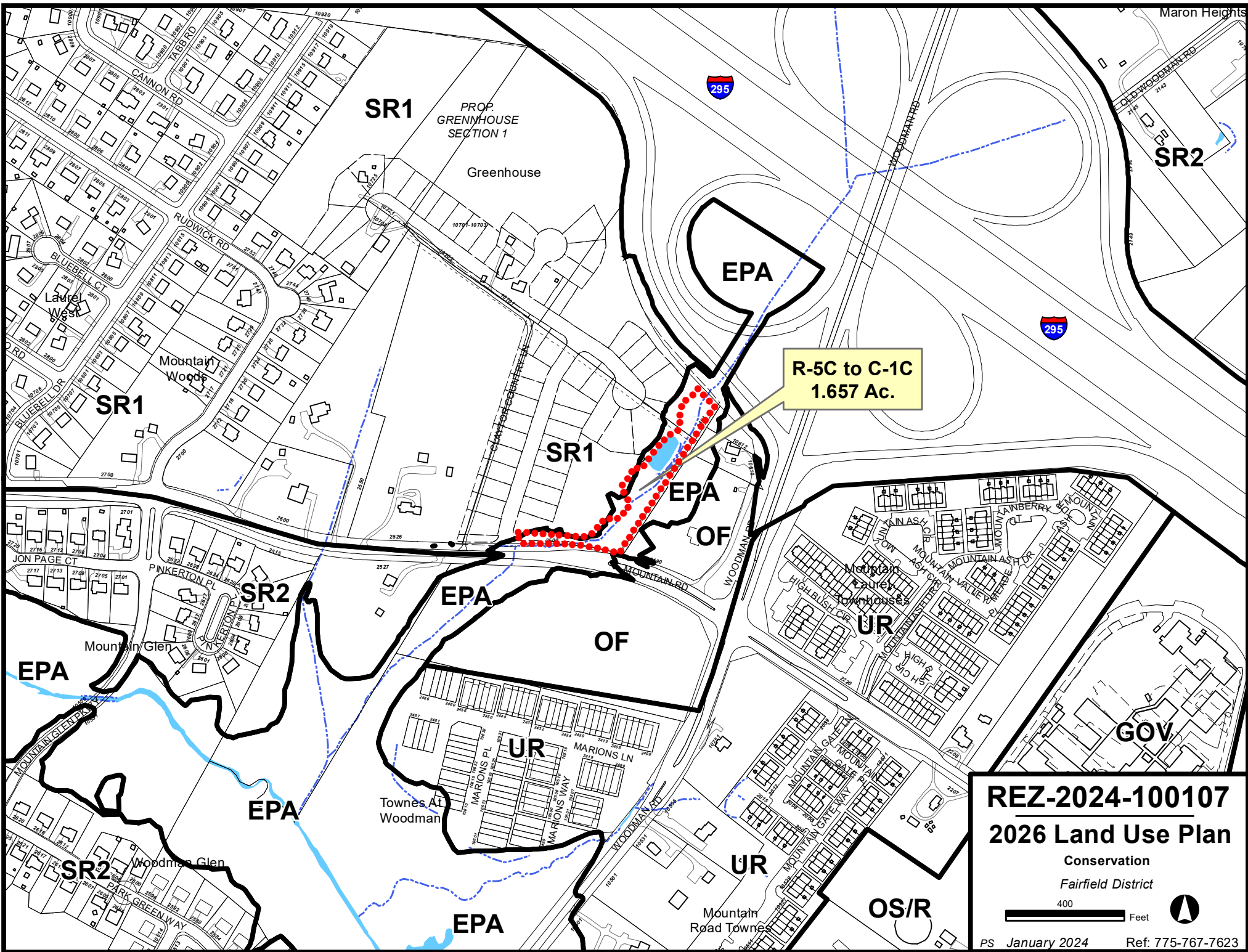
Pursuant to Section 24-2304 of the County Code, the owner or duly authorized agent* hereby voluntarily proffers the following conditions which shall be applicable to the property, if rezoned:

 / Russell Basch
Signature of Owner or Applicant / Print Name

2/21/2024
Date

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

1. Conservation Areas. Notwithstanding the uses permitted and regulated by the zoning of the Property, the Property may only be used for the following purposes:
- a) Storm water management or retention areas;
 - b) Ponds, lakes and similar areas intended as aesthetic and/or recreational amenities and/or wildlife habitats;
 - c) Access drives, utility easements, signage, walkways, sidewalks, dog park, and recreational facilities installed in a manner to minimize their impacts;
 - d) Drainage pipe, structures and grading with erosion control as approved by the Henrico Department of Public Works; and
 - e) Such additional uses to the uses identified in (a), (b), (c), and (d) above as may be deemed compatible and of the same general character by the Director of Planning pursuant to Chapters 19 and 24 of the County Code and by the Henrico Department of Public Works.



**R-5C to C-1C
1.657 Ac.**

REZ-2024-100107
2026 Land Use Plan

Conservation
 Fairfield District

400 Feet

PS January 2024 Ref: 775-767-7623