



## C-26C-08

### Ethan and Elizabeth Krash

Staff Report for Board of Supervisors Public Hearing

Prepared January 9, 2009

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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 zoning matter.*

#### I. PUBLIC HEARINGS:

<b>Planning Commission:</b>	August 14, 2008 September 11, 2008	Deferred at applicants' request Recommended for Denial
<b>Board of Supervisors:</b>	October 14, 2008 December 9, 2008 January 27, 2009	Deferred at applicants' request Deferred at applicants' request Pending

#### II. IDENTIFICATION AND LOCATIONAL INFORMATION:

<b>Requested Zoning:</b>	R-3C One-Family Residence District (Conditional)
<b>Existing Zoning:</b>	A-1 Agricultural District
<b>Acreage:</b>	2.94 acres
<b>Proposed Use:</b>	Single-family residential subdivision
<b>Location:</b>	Located on the north line of Dublin Road approximately 250 feet east of its intersection with Belfast Road.
<b>Magisterial District:</b>	Three Chopt
<b>Land Use Plan Recommendation:</b>	Suburban Residential 1 (SR1) (1.0 – 2.4 units per acre)
<b>Land Development Guide Designation:</b>	Developing Area
<b>Parcel Number:</b>	745-764-4296
<b>Zoning of Surrounding Properties:</b>	North: C-1C Conservation District (Conditional); R-3C One-Family Residence District (Conditional) South: R-3C One-Family Residence District (Conditional) East: A-1 Agricultural District West: R-3C One-Family Residence District (Conditional)

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

This request is to rezone approximately 2.94 acres from A-1 Agricultural District to R-3C One-Family Residence District (Conditional) to permit development of a six (6) lot, single-family residential subdivision. The property is located north of Dublin Road, approximately 250 feet east of its intersection with Belfast Road and is designated Suburban Residential 1 (SR1) (1.0 to 2.4 net units per acre) on the 2010 Land Use Plan.

In view of surrounding rezoning and development patterns and the 2010 Land Use Plan's Suburban Residential 1 (SR1) designation, the property could be appropriately used for single-family residential development. The applicants held community meetings on July 25, 2008 and August 26, 2008 during which area residents expressed concerns regarding density, environmental issues and compatibility with existing development.

At their September 11, 2008 public meeting, the Planning Commission recommended denial of this request.

Since the Planning Commission meeting, the applicants have submitted revised proffers to address connectivity affecting potential development on adjacent property in the future and committing to building materials more consistent with existing neighboring development. In addition, proffer #9 has been clarified to ensure replacement of vegetation if removed within the proposed 10' buffer along the western boundary line. To address the issue pertaining to the maintenance of the reserve/common areas shown on the submitted concept plan, the applicants are working on an agreement to incorporate the reserve/common areas and maintenance of them with adjacent development. As of the preparation of this report, this agreement or letter of intent has not yet been submitted. Provided an agreement can be met to address the common areas, staff could support this request.

The Board of Supervisors deferred this item at their ~~October 14~~ December 9, 2008 meeting, to allow the applicants time to coordinate with adjacent development and to clarify maintenance of the reserve/common areas on the subject site.

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

McDonald's Small Farms, recorded in 1943, was once an expansive, large lot (more than one acre) subdivision. Since 2001, a series of rezoning and subdivision applications have been approved to rezone to R-3C and re-subdivide sections of McDonald's Small Farm and other nearby acreage parcels. Recent rezonings adjacent to the subject site include Crawford Park at Greenbrooke to the west (C-74C-02), Sadler Grove to the north (C-2C-01), and Oglethorpe Park at Greenbrooke to the south (C-7C-05).

The subject property and surrounding area is designated Suburban Residential 1 (SR1) on the 2010 Land Use Plan. Development activities since 2001 have been consistent with the SR1 designation (1.0 to 2.4 net units per acre) and generally limited to single-family residential uses at 2.2 units per acre. These activities typify the area's transition from large-lot residential use to a more contemporary, suburban single-family residential subdivision development.

A proffered conceptual plan (Exhibit A) proposes a six (6) lot, single road cul-de-sac subdivision. An existing, colonial style home occupies a portion of the site and the applicants intend to relocate the house within the proposed development. The applicants have submitted proffers, which include but are not limited to the following features:

- A minimum house size of 2,850 square feet of finished floor area;
- Minimum lot width of 85 feet for all lots except Lots 1 and 2 facing Dublin Road;
- Overall building materials for homes would be brick, stone, EIFS, hardiplank, or an equivalent vinyl siding or other approved material;
- 100% brick or stone fronts for all homes and for any façades facing Dublin Road (Lots 1 and 2);
- Each home would have a 2-car garage with 50% having side or rear entry. Front loading garages would be recessed a minimum of 5 feet;
- Irrigated front and side yards;
- 10-foot natural and landscaped buffer along western property line;
- Streets would be designed with six (6) inch curb and gutter; and,
- Sidewalks parallel to Dublin Road;

Several of the actual built products of the adjacent developments exceed the proffered commitments in regards to lot and home sizes. The average lot sizes range from 13,635 sq. ft. to 15,605 sq. ft. for approved or existing developments in the immediate area. However, the submitted proffers are consistent with many of those accepted with nearby developments.

In response to neighbor concerns regarding potential removal of trees adjacent to their lots, the applicants have proffered to maintain a natural and landscaped buffer 10 feet in width along the western boundary line. This tree buffer would be part of individual lots. Because a utility easement may be required in the same area at the time of subdivision approval the assurance of an undisturbed buffer can not be guaranteed. The applicants have proffered, where practical, that areas disturbed for the placement of utilities within the buffer area be supplemented by the developer.

In order to provide a more efficient and cohesive development pattern in the future and to reduce points of access along Dublin Road, staff recommended incorporating adjacent properties with this rezoning request. The applicants have stated they are unable to acquire the adjacent property and have submitted a proffered conceptual plan and commitments to dedicate the necessary right-of-way to construct and connect a public road to the east for future development. The concept plan shows a reserve area along the eastern boundary line. The applicants are working to incorporate the maintenance of the common areas with the adjacent pending development to the south. It is anticipated a letter of intent to address this issue will be submitted prior to the Board of Supervisors meeting on ~~December 9, 2008~~ January 27, 2009.

The proposed single-family use and gross density of 2.04 units per acre are consistent with the 2010 Land Use Plan's recommendation of Suburban Residential 1. The submitted proffers provide several guarantees of quality development compatible with the surrounding residential uses.

At their September 11, 2008 public meeting, the Planning Commission recommended denial of this request. Since the Planning Commission meeting, the applicants have submitted revised proffers to address connectivity affecting potential development on adjacent property in the future and committing to building materials more consistent with existing neighboring development. The issue regarding the replacement of landscaping within the proffered tree buffer areas has been addressed through revised proffer #9. ~~submitted November 25, 2008~~. Provided the maintenance of the common areas is addressed, staff could support this request.

The Board of Supervisors deferred this item at their ~~October 14~~ December 9, 2008 meeting, to allow the applicant time to coordinate with adjacent development and to clarify maintenance of the reserve/common areas on the subject site.

**V. COMPREHENSIVE PLAN ANALYSIS:**

***Land Use Plan Recommendation:***

The 2010 Land Use Plan recommends Suburban Residential 1 (SR1) ranging from 1.0 to 2.4 net units per acre. The request to develop 6 homes is an equivalent density of 2.04 units per acre which is in keeping with this recommendation.

***Land Development Guide:***

This site is located in a Developing Area. County services are either available or can be extended to serve this property.

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

This request is most consistent with the following Goals, Objectives, and Policies of the 2010 Land Use Plan:

- General Goal III: To encourage land uses throughout the County which provide for the most efficient and desirable arrangement based on land use trends and area needs.
- Residential Objective D: Increase the quantity of housing units near employment centers.
- Residential Policy cc: Encourage the development of "Existing Areas" and "Developing Areas" thereby discouraging "leap frog" type of growth.

**VI. PUBLIC SERVICE AND SITE CONSIDERATIONS:**

***Major Thoroughfare and Transportation:***

This request would rezone 2.94 acres from A-1 to R-3C (Conditional). The following shows the typical trip generation for this proposal, based on a six (6) lot subdivision:

- Total Trips: 78 vehicles per day
- AM Peak: 3 entering, 10 exiting
- PM Peak: 5 entering, 3 exiting

The "spite strip" between the proposed public subdivision road and the eastern property line must be eliminated.

Adequate sight distance must be provided at all access points prior to approval.

***Drainage:***

The proposed site is located in a Watershed Enhancement Area and must comply with all applicable water quality requirements. Adequate stormwater outfall must be provided.

***Public Utilities Services:***

County water is located in Dublin Road at the southwest property corner and County sewer is located in an easement at the northwest property corner. The sewer located in Dublin Road will not serve this property.

***Schools:***

School Level:	School Name:	Student Yield:
Elementary	Colonial Trail	3
Middle	Short Pump	2
High	Deep Run	3

At this time all three schools (Colonial Trail Elementary School, Short Pump Middle School and Deep Run High School) could accommodate students generated by this development. In 2007 Colonial Trail Elementary School had a membership of 483 and capacity of 680, Short Pump Middle School had a membership of 945 and a capacity of 1,356 and Deep Run High School had a membership of 1,844 and a capacity of 1,850. Also, new schools are planned at all levels for the fall of 2010 and 2011 and are anticipated to provide capacity relief at the affected schools.

***Libraries:***

The Twin Hickory Area Library will serve this development.

***Community Revitalization:***

Covenants and bylaws should be submitted to the Community Maintenance Division for review and approval if a Homeowners Association is required.

***Division of Fire:***

No comment.

***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 subdivision is drafted to be submitted for review.

***Recreation and Parks:***

No park or recreation facilities, historical, archaeological or battlefield impact. The Department of Historic Resources lists McDonald's Small Farms Residential Subdivision (43-5109) for information purposes only.

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

It appears portions of the eastern boundary may lie within wetlands and could influence development.

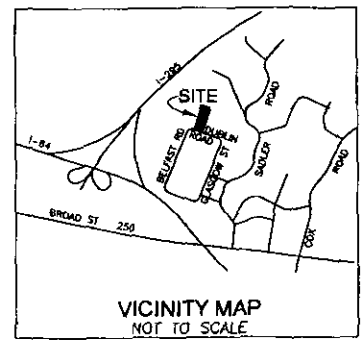
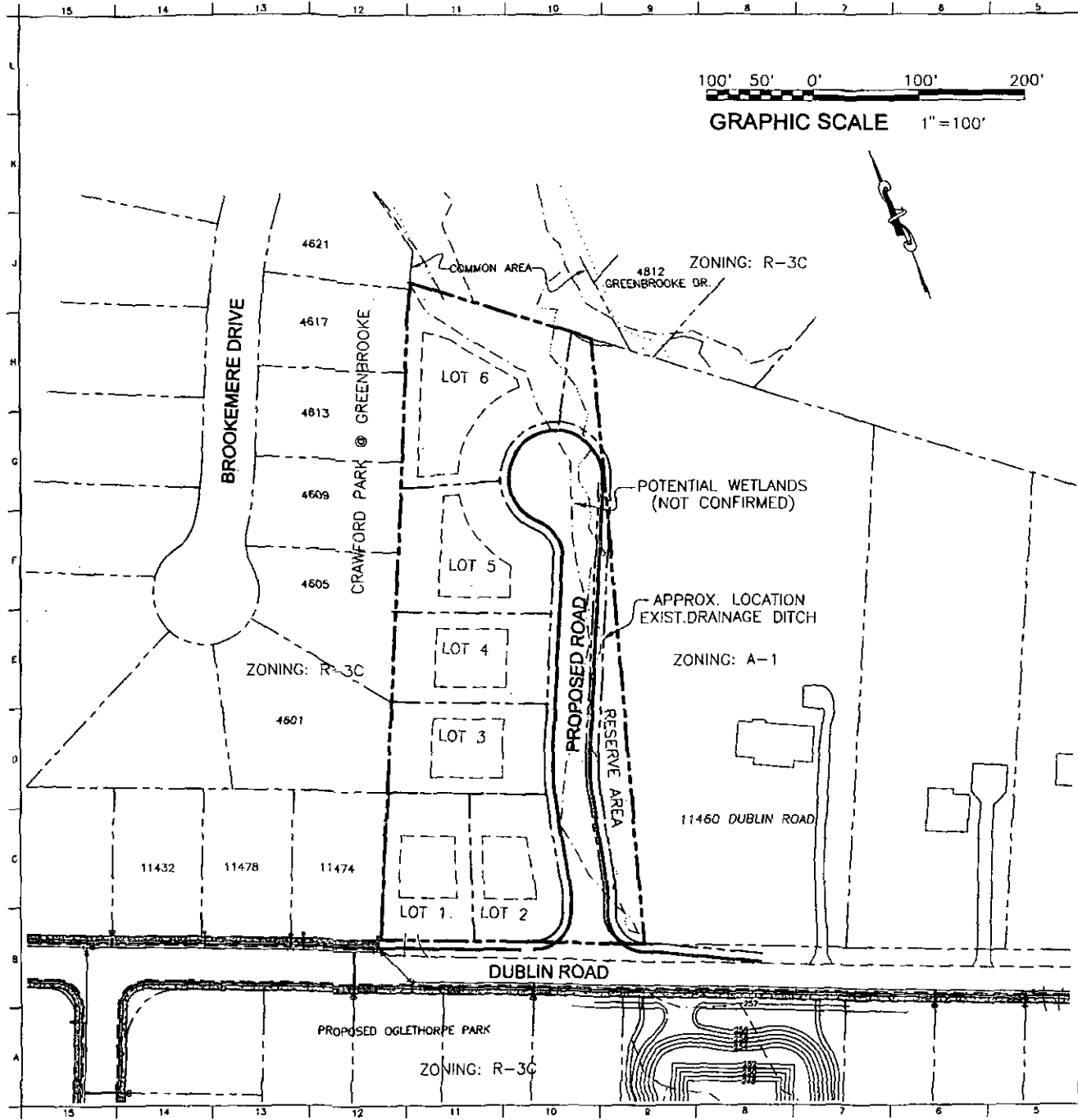


8. **Chimneys.** The exterior portion of attached chimneys shall be constructed of brick or stone, consistent with the materials used on the house.
9. **Landscaping.** A natural and landscaped buffer ten (10) feet in width shall be provided along and as part of the required setback from the western boundary line of the Property. Such ten (10) feet buffer shall be subject to the removal of fallen, diseased or dead plant growth and, to the extent approved at the time of subdivision review, utility easements, and such ten (10) feet buffer shall be maintained by the builder and each subsequent future homeowner such that all fallen, diseased or dead plant growth will be removed and replaced. A minimum of two (2) trees measuring a minimum of 2.5" in caliper shall be retained or planted in the front yard of each residential lot, plus a minimum of two (2) trees of the same caliper shall be retained or planted in the side yard adjacent to the Street if the residential lot is a corner lot. One of the trees shall be a Street tree located within ten (10) feet of the back of the curb of the front yard of each residential lot and, if the residential lot is a corner lot in the side yard also. Each house and building shall have prototypical plantings (shrubs and/or ornamental ground cover) along the front foundation. The front and side yards shall be irrigated and planted with sod except where mulching or landscaping may occur.
10. **Recreational Vehicles.** No recreational vehicles, campers, trailers or boats shall be parked or stored on the Property, unless within enclosed garages.
11. **Density.** No more than 6 homes may be developed on the Property.
12. **Garages.** Each house shall be constructed with a two (2) car garage. A minimum of fifty percent (50%) of the garages shall have a side or rear entry. Front loading garages shall be recessed beyond the front line of the dwelling, a minimum of five (5) feet.
13. **Restrictive Covenants.** Prior to or concurrent with the recordation of the subdivision plat approved by the County and before the conveyance of any portion of the property covered by said subdivision plat (other than for the dedication of easements, roads, or utilities), there shall be recorded a document in the Clerk's Office of the Circuit Court of Henrico County, Virginia setting forth quality controls on the development and maintenance of all portions of the Property.
14. **Minimum House Size.** Any house constructed on the Property shall have a minimum of 2,850 square feet of finished floor area.
15. **Lot Size.** Lots 1 and 2 shown on the Conceptual Plan along Dublin Road, shall be a minimum of eighty (80) feet in width and all other lots on the Property, shall be a minimum of eighty-five (85) feet in width.
16. **Construction Hours.** The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall be (a) between 7:00 a.m. and 7:00 p.m. Monday through Saturday and (b) prohibited on Sunday, except in each case, for emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connectors.
17. **Dedication.** At the request of the County, the Applicant or its successors in title, shall dedicate such area of the "Reserve Area", as shown on Exhibit A, for right-of-way necessary to construct and connect a public road to the east of the road shown on the Concept Plan, as needed for development of property to the east of the Property. The right-of-way shall be dedicated as part of the final plat recordation for development of property to the east of the Property. If such right-of-way property is not used for public road purposes by October 30, 2023, the right-of-way property shall be returned to the then existing owners of the Property.

18. C-1 Zoning: Applicant shall file an application for C-1 zoning for the areas within the Property that are within the 100 year flood plain, unless such areas are needed for roads, access ways or other purposes approved or required by the Planning Commission or any other governmental body or official at the time of subdivision approval. Such rezoning application shall be filed as soon as reasonably practical, but in no case later than the date of the recordation of the last subdivision plat for the last lot platted on the Property.

19. 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.

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**DEVELOPMENT STATISTICS**

OWNER:  
 ELIZABETH KRASH  
 11470 DUBLIN ROAD  
 GLEN ALLEN, VA 23060

GPIN: 745-764-4296

LOT 15, MCDONALD'S SMALL FARMS

EXISTING ZONING: A-1 AGRICULTURAL DISTRICT

PROPOSED ZONING: R3C-SINGLE FAMILY RESIDENTIAL

AREA: 2.94± AC

PROPOSED USE: 6 RESIDENTIAL LOTS

DENSITY: 2.04 UNIT/AC (GROSS)  
 2.63 AC UNITS/AC (NET)

AREA IN R/W: 0.660± AC

AREA IN LOTS: 2.28± AC

AREA IN RESERVE: 0.36± AC (NOW PART OF LOT 6)

*Revised*  
 9/18/08

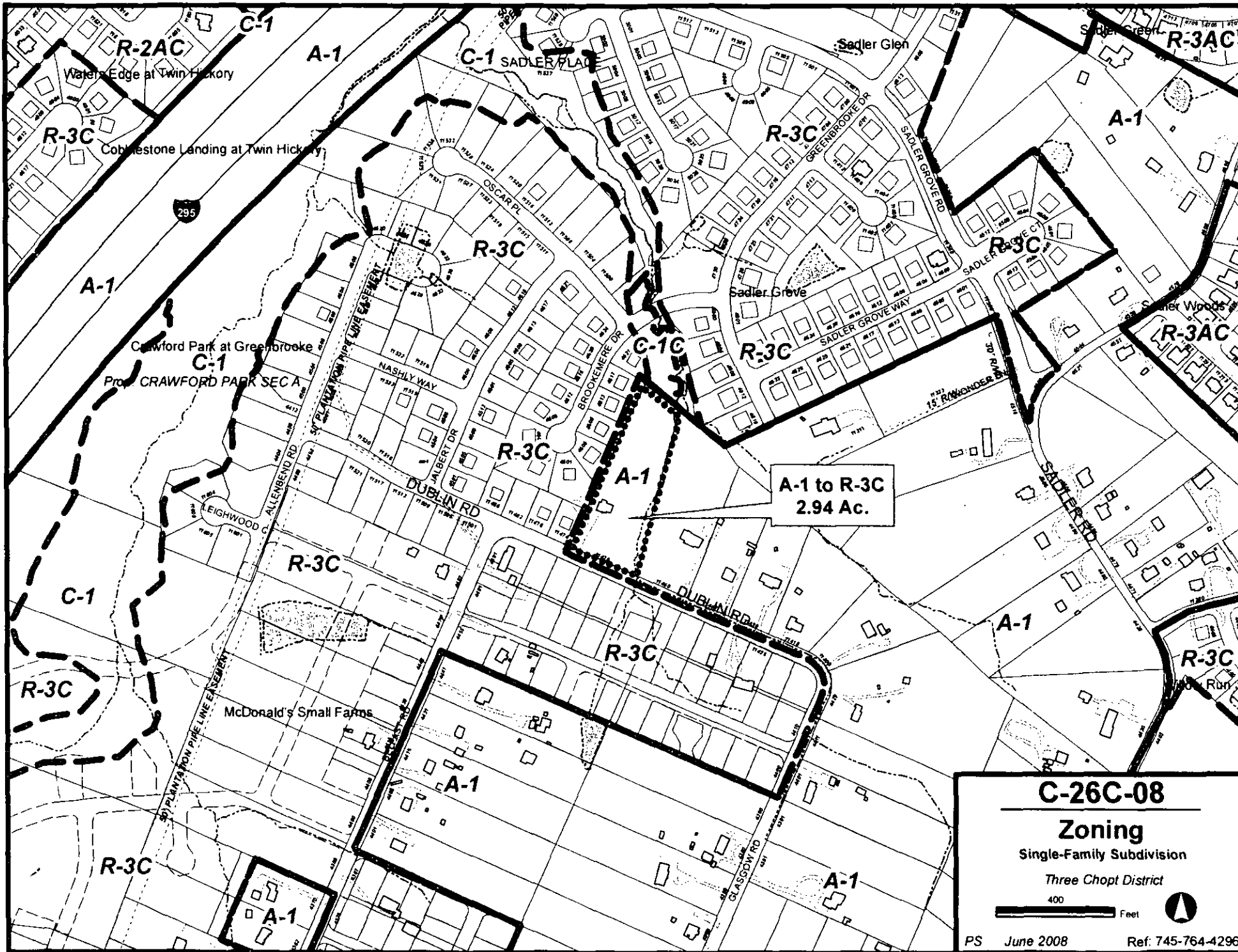
**EXHIBIT A**  
**C-26C-08**

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**McKINNEY AND COMPANY**  
 planning design  
 construction  
**MAIN OFFICE**  
 10000 WOODLAND DR.  
 GREENSBORO, NC 27409  
 WWW.MCKINNEY-VA.COM

**DUBLIN TERRACE**  
 ELIZABETH KRASH,  
 HENRICO COUNTY  
 VIRGINIA  
 THREE CHOPT MAGISTERAL DISTRICT

DESIGN:	SLB
DRAWN:	CHM
CHECKED:	JEB
REVISIONS:	
DATE:	MAY 20, 2008
JOB NO:	14007-07
CAD NO.:	EXHIBIT A
DRAWING TITLE:	<b>EXHIBIT A</b>
SHEET NO.:	3 OF 3



A-1 to R-3C  
 2.94 Ac.

Crawford Park at Greenbrooke  
 Proj. CRAWFORD PARK SEC A

McDonald's Small Farms

Water's Edge at Twin Hickory

Cobblestone Landing at Twin Hickory

Sadler Glen

Sadler Grove

Sadler Green

Sadler Woods

295

SADLER RD

DUBLIN RD

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