

# Hanover County, Virginia

## Land Use Map

### Legend

-  Agricultural
-  Rural Village
-  Suburban Transitional
-  Suburban General
-  Suburban High
-  Multi-Family
-  Commercial
-  Multi-Use
-  Mixed-Use (LC/HR)
-  Mixed-Use (HC/LR)
-  Business-Industrial
-  Industrial
-  Limited Industrial
-  Planned Business
-  Destination Commerce
-  Flood Plain

### C-17-14

Chamberlayne Road Associates, L.L.C.

Rezone R-1 and A-1 to RS and B-2

Commercial and Suburban High  
Land Use

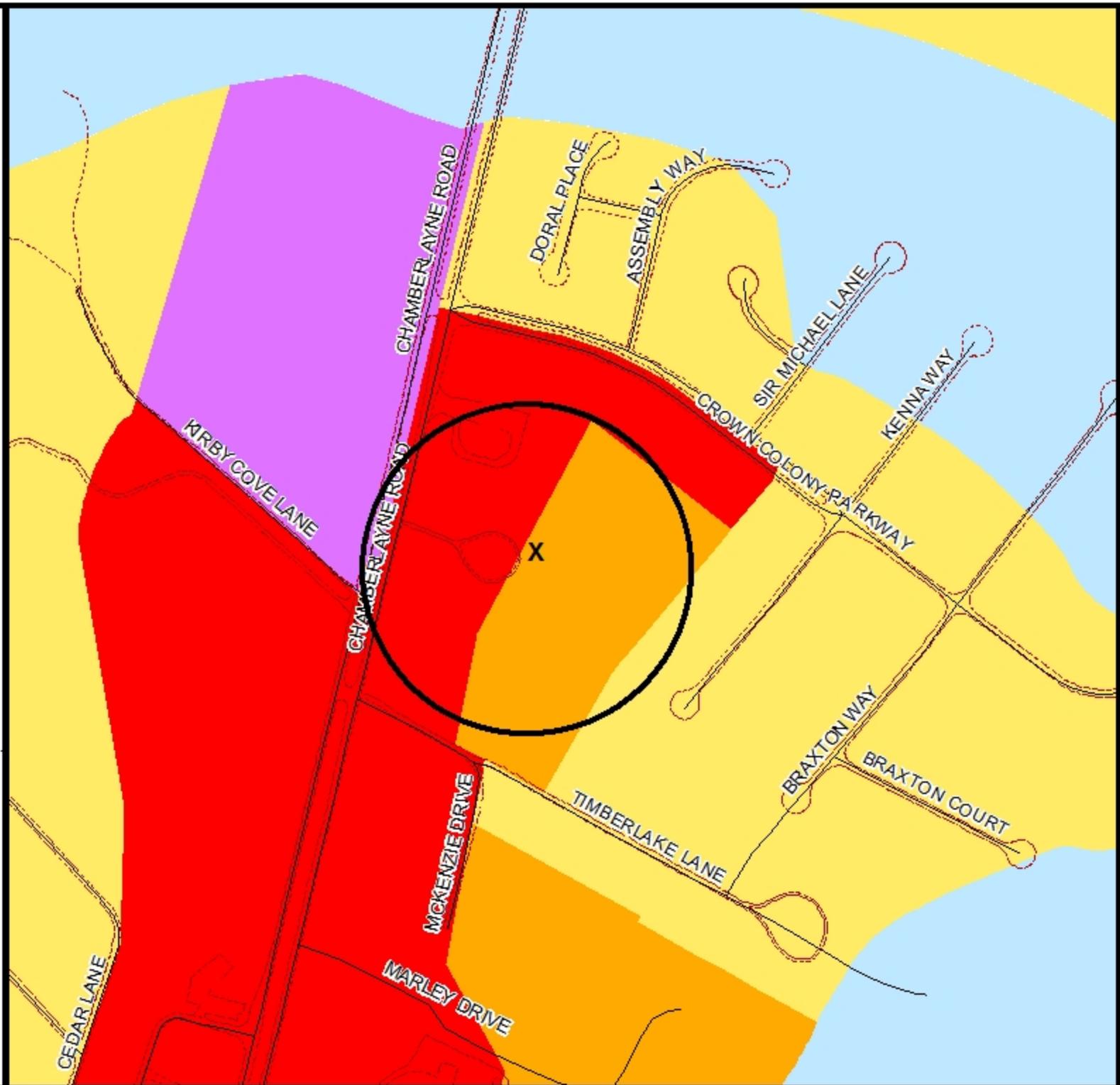
GPIN's: 8706-67-5588 & 8706-67-5140

Chickahominy Magisterial District



1 inch = 400 feet

September 03, 2014



Hanover County,  
Virginia

General Parcel Map

Legend

- Roads
- Water
- - - Trees
- - - Private Road
- Structures
- Parcels

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# Hanover County, Virginia

## Zoning Map

### Legend

— Roads	 R-4
- - - Water	 R-5
- - - Private Road	 R-6
▭ Parcels	 RM
 CUP	 MX
 A-1	 B-1
 AR-1	 B-2
 AR-2	 B-3
 AR-6	 O-S
 RC	 B-0
 RS	 M-1
 R-1	 M-2
 R-2	 M-3
 R-3	

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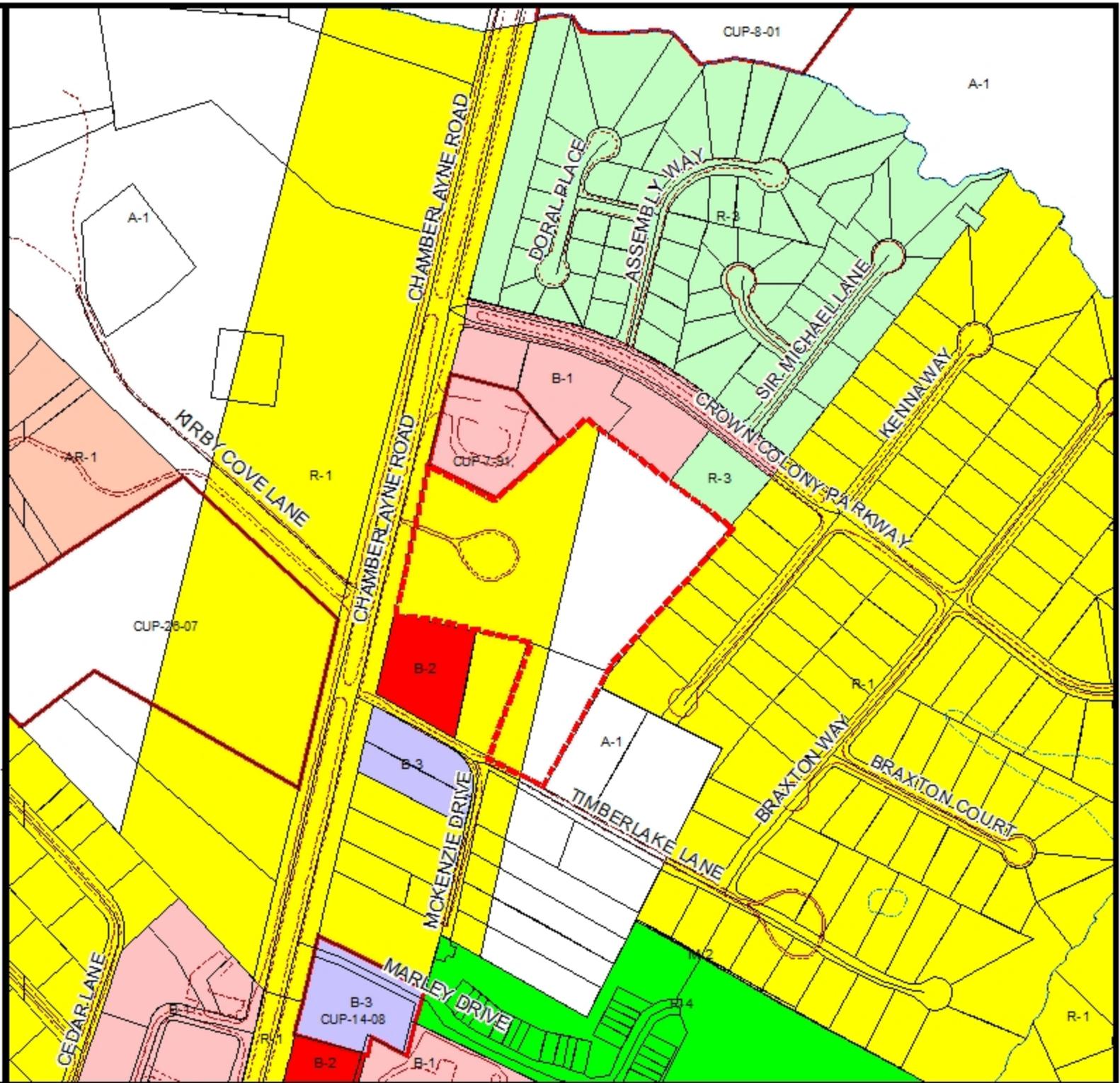
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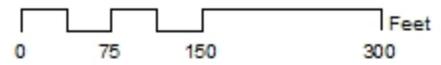
Chickahominy Magisterial District



1 inch = 400 feet

September 03, 2014





# C-17-14(c), CHAMBERLAYNE ROAD ASSOCIATES, L.L.C.

Residential and Commercial Rezoning Report  
Chickahominy Magisterial District  
PC Meeting Date: February 19, 2015



## Overview

Current Zoning	A-1, Agricultural District and R-1, Single-Family Residential District
Requested Zoning	RS(c), Single-Family Residential District with conditions and B-2(c), Community Business District with conditions
Requested Density	3.97 units per acre
Acreage	11.7
Location	On the east line of Chamberlayne Road (U.S. Route 301) approximately 250 feet north of its intersection with McKenzie Drive (State Route 1239)
GPINs	8706-67-5588 and 8706-67-5140
General Land Use Plan	Commercial and Suburban High (4-8 dwelling units per acre)
Major Thoroughfare Plan	Chamberlayne Road - Major Arterial (120' ultimate right-of-way)
Suburban Service Area	Inside
Case Planner	Gretchen Biernot

## Executive Summary

This is a request to rezone 10.08 acres to RS(c), Single-Family Residential District with conditions and 1.55 acres to B-2(c), Community Business District with conditions. Forty (40) lots are proposed on the RS portion of the property, which provides a density of 3.97 units per acre. A conceptual plan and elevations have been submitted to demonstrate that the proposed subdivision meets RS District requirements.

## Staff Recommendation

**DENIAL** as submitted but **APPROVAL** subject to changes to the conceptual plan and proffers, as detailed in this report.

## **Planning Analysis**

The conceptual plan of the 11.7 acre site shows 1.55 acres to be rezoned to B-2 and 10.08 acres to be rezoned to RS. Although the use of the B-2 portion of the site is speculative, the plan demonstrates how the site can accommodate a 24,700 square foot office/retail building and required parking spaces. The RS portion of the site shows 40 single-family detached lots along with the required common open space.

### *RS District Requirements*

The required conceptual plan and elevations submitted by the applicant address the minimum plan and density requirements of the RS zoning district. For projects with a density of 3-4 units per acre, the ordinance requires the following:

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- *Curb and gutter.* The subdivision construction plans for this development must show roads with curb and gutter.
  - *25% of the net acreage (gross acre minus Chesapeake Bay Resource Protection Areas (RPA) and steep slopes greater than 35%) set aside in open space.* The minimum open space required is 2.52 acres, and 2.67 acres has been provided and highlighted on the conceptual plan. (The gross acreage equals the net acreage in this subdivision because there are no RPAs or steep slopes.)
  - *Street trees and landscaping.* A landscape plan has been prepared and made part of the conceptual plan. The plan shows trees aligning both sides of the streets, contained within a 10' landscape easement in front of each lot. A typical planting plan provides additional detail on the trees, shrubs, and perennials to be provided for supplemental landscaping in the common area. The landscape plan also provides a list of trees, shrubs, and groundcovers to be used throughout the development that meet the RS requirements.
  - *Pedestrian paths.* Concrete sidewalks, 4' in width, align both sides of each street and provide access to common open space areas throughout the development.
  - *Single-loaded streets along 10% of the streets in the district.* The RS ordinance requires that at least 10% of the street frontages have dwellings on only one side of the street with the other side containing open space. The plan indicates that 39% of streets are single-loaded, which exceeds the requirement.

In addition to the minimum district requirements, RS also provides the following list of standards for reviewing the design of a conceptual plan:

- a. *The open and common space areas shall be directly accessible to the largest practicable number of lots within the district. Non-adjoining lots shall be provided with safe and convenient pedestrian access to neighborhood common and open space.*

Sidewalks align both sides of the roads, providing safe and convenient access to the common areas.

- b. *The common and open space areas shall be suitable for recreational uses, either active or passive, without interfering with adjacent dwelling units, parking, driveways, and roads.*

The common area is suitable for passive recreation without interfering with the dwelling units and roads.

- c. *The open and common space areas shall be undivided by public or private roads, except where necessary for proper traffic circulation.*

The majority of the common area that is located along the eastern boundary of the property is contiguous and undivided by roads.

- d. *Open space areas shall be left in their natural state to the maximum practicable extent, unless located to provide a screening buffer from adjoining property and roadways. Pedestrian paths may be located within the open space, including the buffer areas.*

With the exception of the proposed stormwater detention basin located to the rear of the common area as well as some supplemental landscaping, it is unclear whether the common areas will be altered from their natural state. Staff would recommend that the conceptual plan provide more detail on these areas, especially along the common border with Crown Colony.

- e. *Historic features other than structures, when identified on the property, shall be incorporated into the open space areas and a preservation plan shall be provided for protection and maintenance of the features. If approved by the board, historic structures may be included in common space for use by the homeowners or may be located on a residential lot for conveyance and use as a residence.*

The existing house on the property is listed on the County's historic survey; however, the house is in such poor condition that the applicant has indicated that it will be removed from the property. The Historical Commission reviewed the impacts of the proposed development to the historic house. Since the house proposed is to be removed from the property, the Commission recommended that the applicant proffer to advertise an offering for the houses to be removed or salvaged for materials and that County staff be given an opportunity to document historic features to be placed in the survey files. Staff would recommend that an additional proffer be submitted to address the Historical Commission's recommendation.

- f. *Streets shall generally be designed to minimize the area within the project devoted to vehicular travel; calm traffic speeds; promote pedestrian movement; and terminate in views of open or common space or other appropriate vista.*

Saint Emilion Court contains multiple views of common areas, including the view from the entrance as well as approaching its terminus.

Elevations of proposed buildings have been provided as part of the conceptual plan, as required by the RS District. In addition, the applicant has proffered to provide specific architectural features including vinyl shakes or board or batten, brick or stone foundations with matching column bases, garage door windows, and gables and/or dormers.

Finally, RS requires that all internal roads be constructed to public road standards. However, Timberlake Lane, a private road, runs along the southern edge of the property. Because the private road could not remain private as part of this development, the applicant asked the adjacent property

owners to the east (GPIN 8706-67-7001) to take this section of the road to add to their property. According to the applicant, a purchase contract has been signed to convey 0.079 acres to this adjacent property owner. This conveyance must take place prior to recordation of the subdivision plat.

*Transportation*

The applicant has proffered a contribution to road improvements in the amount of \$2,306.00 per residential unit in accordance with the County’s transportation policy. In addition, a right-turn lane on U.S. Route 301 into the development has been proffered and shown on the conceptual plan, as required by VDOT’s Access Management standards.

VDOT has granted a waiver of the entrance spacing requirements for the proposed entrance on U.S. Route 301. In addition, VDOT’s Secondary Street Acceptance Requirements (SSAR) require a road stub to the adjacent property to provide for a future road connection. Because a road stub has not been shown on the plan, VDOT is requiring justification to waive this requirement. The applicant has provided written justification to VDOT and is awaiting a ruling.

*Schools Analysis*

Population Increase				
General Population	40 units	x	2.68 (avg. persons per household)	= 107 persons
School Children	107 persons	x	20% (avg. % of children per pop.)	= 21 children

Schools Affected	Capacity	2014 Enrollment
Washington Henry Elementary	493	477
Chickahominy Middle	1322	1179
Atlee High	1699	1677

The School Board assumes 50% of students will attend elementary school, 20% to middle school, and 30% to high school.

*Comprehensive Plan*

The proposed B-2 and RS zoning districts for the subject property are generally consistent with the General Land Use Plan Map in the Comprehensive Plan. The property is designated for Commercial along the frontage of U.S. Route 301 and Suburban High for the remaining acreage. The proposed density at 3.97 units per acre is slightly below the density range of the Suburban High designation, which is 4-8 units per acre.

This request achieves the following objectives of the Comprehensive Plan:

- *Promote the interconnection of communities to enhance vehicular, bicycle, and pedestrian circulation and reduce demand along existing and proposed thoroughfares*

The proposed residential community is designed to be pedestrian and bicycle friendly with safe and convenient access to common areas. Residents in this community will be able to walk along

the sidewalks that connect to the future B-2 use as well as use the pedestrian path across the B-2 area to access the adjacent existing businesses, which currently consist of a seafood market and produce stand. The staff recommends that plan be revised to show a pedestrian path or sidewalk constructed within the thoroughfare buffer along U.S. Route 301 to connect with the existing businesses.

- *Ensure provision of adequate and safe vehicular access to thoroughfares*

VDOT has reviewed and commented on the proposed entrance to this development, and the applicant is working with VDOT to address all comments. The applicant has proffered to construct a right-turn lane at the entrance to address Access Management requirements.

- *Ensure provision of contiguous open space designed for passive and active recreation that is conveniently and centrally located for residents, and encourage the preservation of cultural resources and environmental features such as wetlands and Resource Protection Areas, scenic viewsheds, and existing trees/vegetation*

The conceptual plan demonstrates how this strategy has been achieved through the placement of convenient and contiguous open space throughout the development. However, the plan is unclear as to how the common area will be improved or altered from its current condition. Staff would recommend that the plan be revised to show how common areas will be graded, landscaped, and seeded to be suitable for passive recreation.

On the subject of cultural resources, as previously discussed, the historic house located on the property is in too poor condition to be incorporated into the development. As an alternative, staff is recommending that the applicant submit an additional proffer based on the Historical Commission's recommendation.

- *Ensure land uses are harmonious with surrounding uses and residential density and non-residential uses should transition appropriately to adjoining uses; Support new planned neighborhood commercial districts that serve but do not conflict with surrounding residential areas*

Adjacent to the subject property to the north is Royal Glen Subdivision, which is zoned R-3 with a density of 2.3 units per acre. Crown Colony Subdivision located to the east is zoned R-1 with a density of 1.5 units per acre. The density of the proposed subdivision is 3.97 units per acre, providing an appropriate transition between the subdivisions with lower densities and the B-2 property. Common area where existing trees will be preserved is directly adjacent to Crown Colony and surrounds the proposed lots to the west. The applicant has also selected B-2 zoning with use restrictions along the frontage, which excludes many of the most intense business uses.

- *Strive for efficient land use and utilization of public utilities by supporting densities at the higher end of the recommended ranges*

This strategy is not achieved as the proposed density of 3.97 units per acre is slightly below the 4-8 unit per acre range of the Suburban High designation. However, this density is appropriate, considering the compatibility of the development with adjacent subdivisions.

## *Citizen Input*

The applicant held a community meeting on the previous application on April 15, 2014. Citizens at that time were concerned about the increased u-turn movements at Crown Colony Parkway from this development, future maintenance of the proposed townhouses, the high density, and impacts to schools. Because of these community concerns, the applicant withdrew their application and resubmitted an RS development with significantly fewer lots (73 units to 40 units) and single-family detached houses instead of townhouses. A community meeting on the current proposal was held on January 6, 2015.

Issues raised included the following:

- Clearing of heavily wooded areas near existing subdivision lots

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With exception of the site improvements needed for the stormwater basin and the proposed supplemental landscaping, the conceptual plan is not clear as to how the trees in the common areas would be preserved. As previously mentioned, staff would recommend amending the plan to show how common areas will be altered. To further address community concerns, staff would also recommend a note on the plan requiring a 15' undisturbed natural buffer be maintained within the common area along Lots 24 and 25.

- B-2 zoning is a concern (especially fast-food restaurants), would prefer B-1

The applicant has proffered out several B-2 uses considered inappropriate for the site, including fast-food restaurants with a drive-through.

- No subdivision access from McKenzie. All southbound traffic will now be forced to make u-turns at Crown Colony Parkway; Entrance safety on 301

A 40-lot subdivision should have relatively minor impacts to U.S. Route 301. The applicant must meet VDOT requirements to ensure the safety of the proposed entrance. A right-turn lane is required at this entrance, which has been proffered by the applicant.

- Maintenance of BMP

The Department of Public Works is actively involved with enforcing annual maintenance of stormwater basins.

- Interest in size and pricing of houses

The applicant has provided typical elevations and a proffer that will require specific architectural features be included on the final elevations submitted at the time of building permit.

**Agency Analysis**

<b>Agency</b>	<b>Comment Summary</b>
Public Works	Runoff from this project must be kept from flowing onto adjacent residential lots. Storm sewer will have to be analyzed for discharge from the stormwater basin.
Public Utilities	The construction plans must include an easement for the future extension of public utilities towards Timberlake Lane/McKenzie Drive.
VDOT	Detailed justification must be provided to waive the stub out requirements for SSAR.

**Proffers**

The applicant submitted the following draft proffers on February 5, 2015:

**B-2 Proffers:**

1. Conceptual Plan. The applicant has proffered to develop the B-2 property in substantial conformity with the conceptual plan. The conceptual plan for the residential portion of the development is required to be submitted and approved as part of the RS zoning.
2. Architectural Treatment. The applicant has proffered quality architectural materials to be used.
3. HVAC Units. All mechanical units shall be screened.
4. Lighting. Light poles are limited to 25' in height. The maximum height for the B-2 district would otherwise be 45'.
5. Monument Signs. All commercial signage shall be monument style, and sign materials shall be compatible with the proposed structure.
6. Dumpsters. The methods of screening for the dumpsters has been proffered.
7. Uses. The applicant has proffered out B-2 uses considered inappropriate for the site.

**RS Proffers:**

8. Cash Proffers. – The standard proffer language has been submitted for a cash proffer in the amount of \$2,306.00 to address impacts to the thoroughfare network.
9. Architecture. Houses shall incorporate specific architectural features and shall be designed in general conformance with the elevations attached to the conceptual plan.

Proffers applicable to the entire property:

10. Transportation Improvements. The applicant has agreed to construct a northbound right turn lane with the first subdivision section or site plan, whichever occurs first, in accordance with VDOT standards and specifications.

**Summary of Outstanding Issues**

Staff recommends **DENIAL** as submitted but **APPROVAL** with the following changes to the conceptual plan and proffers:

1. Revise the conceptual plan to show a sidewalk or pedestrian path within the thoroughfare buffer to connect to the adjacent commercial property.
2. Clarify on the plan whether the open space shall be maintained in its natural state or delineate areas to be graded and seeded to be more suitable for passive recreation activities.
3. Provide a note on the plan to indicate that a 15' undisturbed natural buffer shall be maintained in the common area behind Lots 24 and 25.
4. Provide an additional proffer regarding the historic house, as recommended by the Historical Commission:

**Prior to application for a demolition permit for the historic structure located on the Property, the Owner shall advertise in a regional newspaper for two successive weeks a free offering of the historic structures for its movement to another site. If there are no respondents, the Owner shall allow any historic materials in the structures to be properly salvaged. Prior to any demolition or removal of materials, the Owner shall allow County staff to enter the structures for the purpose of photographic documentation for placement in the County's historic survey file for House, Route 301, VDHR 42-525.**

GJWB/sm/HTE

**Attachments**

- Maps (land use, vicinity, zoning, aerial)
- Historical Commission Recommendation
- Approved Proffers/Elevations/Conceptual Plan
- County Traffic Study
- Application Materials
- Agency Review Comments
- 527 Traffic Study
- Citizen Correspondence
- Photographs
- Proffers /Conceptual Plan

C-17-14(c), Chamberlayne Road Associates

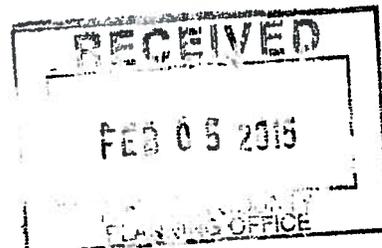
The undersigned, owners of parcel designated GPINs 8706-67-5588 and 8706-67-5140, (“the Property”), voluntarily agrees for themselves, their agent, personal representatives, successors and assigns (collectively “the Property Owner”) that, in the event the Property is rezoned to RS and B-2, the development and use of the Property shall be subject to the following conditions:

**PROFFERS APPLICABLE TO B-2 PROPERTY:**

1. Conceptual Plan. The B-2 area shall be developed in substantial conformity with the conceptual plan, entitled “TIMBERLAKE COMMONS’ SUBDIVISION & B-2 PROPERTY CONCEPTUAL & PRELIMINARY SUBDIVISION PLAN,” dated September 2, 2014, revised February 3, 2015, and prepared by Goodfellow, Jalbert, Beard & Associates, Inc.

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2. Architectural Treatment. The exterior wall surfaces (front, rear and sides) of any building on the B-2 Property shall be similar in architectural treatment and materials. The building constructed on the property shall have exposed walls (above finished grade) of face brick, natural stone, glass stucco, drivit, exposed aggregate concrete or an equivalent permanent architecturally finished material. No portion of an exterior wall surface visible from any adjoining property shall contain painted or untreated concrete masonry units, sheet or corrugated aluminum or metal, except that metal and/or aluminum may be incorporated for window and decorative treatments. All elevations shall be approved by the Director of Planning prior to Site Plan approval.
3. HVAC Units. Any mechanical units on the B-2 Property shall be screened, and if on the roof, screened by a parapet wall that is an integral component of the building. Screening shall be designed so as to block such units from view by persons on any public streets immediately adjoining the B-2 Property, or from adjacent residential uses. The method of screening shall be submitted at the time of site plan review.
4. Lighting. The Property Owner shall provide lighting not greater than twenty-five (25) feet in height.
5. Monument Signs. All freestanding signs on the B-2 Property shall be monument type, and shall include materials and design that are compatible with the proposed materials and architectural theme of the proposed structure.
6. Dumpsters. Dumpsters on the B-2 Property shall be screened with an opaque fence or screening wall so as not to be visible by persons on any public streets immediately adjoining the Property, or from adjacent residential uses.



7. Uses. The following B-2 uses shall not be permitted:  
Convenience store with or without fuel sales  
Fast food restaurants with drive-through  
Flea Market  
Warehouse  
Wholesale establishments

**PROFFERS APPLICABLE TO RS PROPERTY:**

8. Cash Proffers. The Property Owner, for itself, and its successors and assigns, agrees to pay Hanover County prior to issuance of a Certificate of Occupancy, the amount of Two Thousand Three Hundred Six and 00/100 (\$2,306.00) per single family unit built on the RM zoned Property. The funds shall be used for the purpose of completing off-site road improvements relating to the development allowed by the rezoning and included in the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013. In the event funds are paid and are not used for such improvements, the County shall return the funds paid to the Owner or his successors in title.
9. Architecture. All houses constructed on the RS-zoned property shall include the following: 1) vinyl shakes, vinyl board and batten, and/or beaded vinyl (or compatible materials), 2) brick or stone foundations with matching column bases, and 3) garage door windows. Rooflines shall incorporate gables and/or dormers. The elevations shall generally conform to the style of architecture depicted on the elevations made part of the Conceptual Plan referenced above.

**PROFFERS APPLICABLE TO THE B-2 AND RS PROPERTY:**

10. Transportation Improvements. The Property Owner shall construct a northbound right turn lane on Chamberlayne Road (U.S. Route 301) as generally shown on the Conceptual Plan. The turn lane shall be designed and shown on the first set of construction plans submitted for the RS zoned portion of the property and shall be bonded as a subdivision improvement with the first section. In the event a site plan for the B-2 zoned property is submitted prior to subdivision construction plans, the turn lane shall be designed and shown on the first site plan submitted to Hanover County and shall be constructed, inspected, and eligible for acceptance by VDOT prior to issuance of a Certificate of Occupancy for any structures for which a Building Permit has been issued. All road improvements shall be designed and constructed in accordance with VDOT standards and specifications.

VINYL SIDING

PVC COLUMNS

MASONRY  
FOUNDATION:  
STONE/ BRICK

ASPHALT SHINGLE  
ROOFING

VINYL/ PVC FASCIA  
AND TRIM

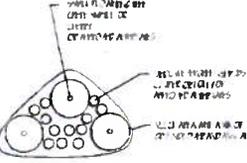
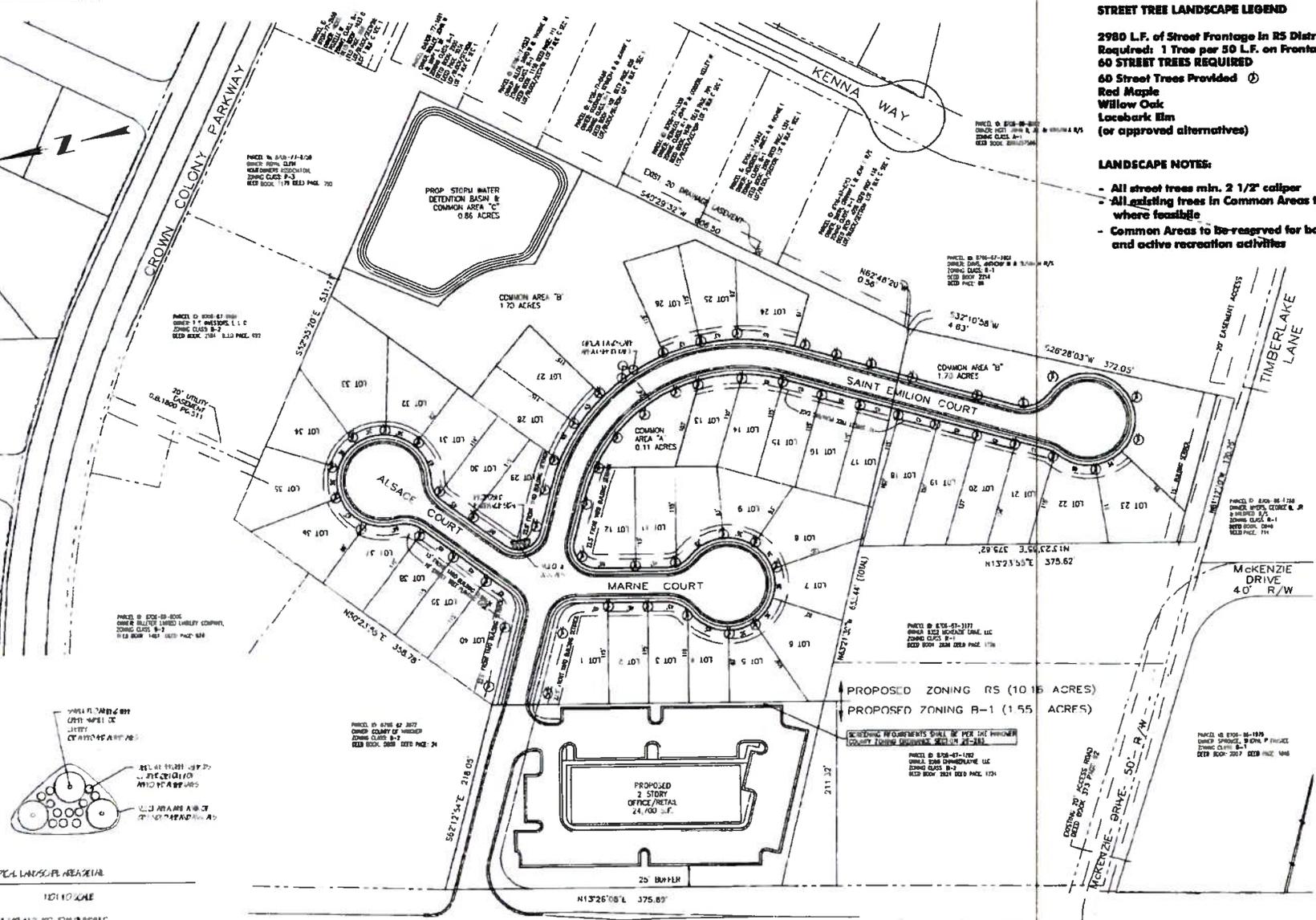


**STREET TREE LANDSCAPE LEGEND**

2980 L.F. of Street Frontage in RS District  
 Required: 1 Tree per 50 L.F. on Frontage  
**60 STREET TREES REQUIRED**  
 60 Street Trees Provided  
 Red Maple  
 Willow Oak  
 Locust Elm  
 (or approved alternatives)

**LANDSCAPE NOTES:**

- All street trees min. 2 1/2" caliper
- All existing trees in Common Areas to be preserved where feasible
- Common Areas to be reserved for both passive and active recreation activities



U.S. ROUTE 301 - CHAMBERLAYNF ROAD  
 VARIABLE WIDTH RIGHT-OF-WAY

SCALE: 1" = 50'