~~March 21, 2006 CPC~~
~~May 16, 2006 CPC~~
~~June 28, 2006 BS~~
July 26, 2006 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06SN0196

Princeton Properties, Inc.

Bermuda Magisterial District
Ecoff Elementary, Carver Middle and Bird High Schools Attendance Zones
South line of Iron Bridge Road

REQUEST: Rezoning from Agricultural (A) and Residential (R-15) to Residential Townhouse (R-TH) with Conditional Use Planned Development of 38.0 acres; Agricultural (A) to Corporate Office (O-2) of 2.2 acres; Corporate Office (O-2) to Community Business (C-3) of 6.4 acres; and Corporate Office (O-2) to Multifamily Residential (R-MF) of 1.0 acre.

PROPOSED LAND USE:

Residential, office and commercial uses are proposed. A maximum of 8.0 dwelling units per acre is permitted within a Residential Townhouse (R-TH) District, yielding approximately 264 dwelling units. Multifamily Residential (R-MF) zoning is requested for the purpose of reestablishing a zoning line consistent with the alignment of a proposed right of way that will separate the existing multifamily development to the south from the proposed commercial development to the north.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS ON PAGES 2 THROUGH 8.

STAFF RECOMMENDATION

Recommend denial for the following reasons:

A. While the proposed zoning and land uses conform to the Central Area Plan which suggests the eastern portion of the property is appropriate for community scale commercial uses while the western portion is appropriate for mixed use corridor uses which includes office uses and residential developments of various densities, the application fails to address the traffic impact in regards to construction of the Thoroughfare Plan road, as discussed herein.

B. The proffered conditions adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the need for schools, parks, libraries, fire station and roads is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

C. The requested exception to the provision of off-street townhouse parking may result in deficiencies in parking.

D. Proffered conditions do not address the provision of a focal point to meet the typical standard for similar projects.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) MAY PROFFER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITIONS

The Owners and the Developer, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County (the "Zoning Ordinance"), for themselves and their successors or assigns, proffer that the development of the property designated as Chesterfield County Tax IDs 776-652-2477, 776-652-3293, 776-652-7829, 777-653-3211, 776-652-1462, 776-652-0051 and 777-652-3981 and a portion of 777-652-6715 containing a total of 47.6 acres (the "Property") under consideration will be developed according to the following proffered conditions if, and only if, the request for rezoning of the Property for C-3, O-2, R-MF and RTH with CUPD is granted. In the event the request is denied or approved with conditions not agreed to by the Developer, the proffered conditions shall be immediately null and void and of no further force or effect. If the zoning is granted, these proffered conditions will supersede all proffers and conditions now applicable to the Property.

For the purposes of this Statement of Proffered Conditions, "Use Exception Property" shall mean the 5.0 acre portion of the Property lying on the south line of Ironbridge Road for which an R-TH with CUPD rezoning is requested and which is further defined in the Textual Statement

referenced below, "Townhouse Property" shall mean the 38.0 acre portion of the Property for which an R-TH with CUPD rezoning is requested, less the Use Exception Property, and "Commercial Property" shall mean the 8.6 acre portion of the Property for which C-3 and O-2 rezoning is requested.

THE FOLLOWING PROFFERS ARE APPLICABLE TO THE ENTIRETY OF THE PROPERTY:

(CPC) 1. Utilities. The public water and wastewater systems shall be used. (U)

(CPC) 2. Timbering. Except for Timbering approved by the Virginia Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)

THE FOLLOWING PROFFERS ARE APPLICABLE TO THE ENTIRETY OF THE PROPERTY UNLESS OTHERWISE SPECIFICALLY NOTED:

(CPC) 3. Transportation.

a. In connection with recordation of the initial subdivision plat for the Property, prior to any site plan approval or within sixty (60) days from the date of a written request by the Transportation Department, whichever occurs first, the following rights of way shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County:

1. One hundred (100) feet of right-of-way on the south side of Ironbridge Road, measured from the centerline of that part of Ironbridge Road, immediately adjacent to the Property; and

2. Any additional right of way required to widen the existing right of way for Carver Heights Drive to a total width of ninety (90) feet along the southern boundary line of the Townhouse Property or in such other location and of such width as otherwise agreed to by the developer and the Transportation Department.

b. To provide for an adequate roadway system, the developer shall be responsible for the following:

1. Construction of an additional lane of pavement along the eastbound lanes of Ironbridge Road at the Site Access (as

defined below) and at the Edenshire Road intersection to provide separate right turn lanes.

2. Construction of additional pavement along Edenshire Road to provide a three-lane typical section (i.e., one (1) southbound lane and two (2) northbound lanes) at its intersection with Ironbridge Road. The exact length of this improvement shall be approved by the Transportation Department.

3. Full cost of traffic signalization at the Edenshire Road/Ironbridge Road intersection (the "Traffic Signal"), if warranted by development of the Townhouse Property or the Commercial Property, as determined by the Transportation Department.

4. Dedication to Chesterfield County, free and unrestricted, of any additional right of way (or easements) required for the improvements identified above. In the event any additional right of way is required for the design approved by the Transportation Department for the improvement described in Proffered Condition 3.b.2., the developer may request, in writing, the County to acquire such right of way as a public road improvement. All costs associated with the acquisition of the right of way shall be borne by the developer. In the event the County chooses not to assist the developer in acquisition of the additional right of way, the developer shall be relieved of the obligation to acquire the additional right of way and shall be obligated to construct the improvements only within available public right of way, as determined by the Transportation Department.

   Prior to any site plan or road construction plan approval, whichever occurs first, a phasing plan for the required road improvements, as identified above, shall be submitted to and approved by the Transportation Department.

c. Except for a private driveway that serves only one (1) single-family dwelling on the Use Exception Property, direct vehicular access from the Property to Ironbridge Road shall be limited to one (1) entrance/exit (the "Site Access"), generally located along the common boundary line of the parcel identified as Tax ID 777-653-3211 (the "C-3 Parcel") and the parcel adjacent to and west of the C-3 Parcel and identified as Tax ID 776-653-9843 (the "Adjacent Parcel"), or as otherwise approved by the Transportation Department. The Site Access shall be designed and constructed to

provide shared use with the Adjacent Parcel. The design of the Site Access shall be approved by the Transportation Department. Prior to any site plan approval which includes the Site Access, an access easement, acceptable to the Transportation Department, shall be recorded across the C-3 Parcel and/or the Adjacent Parcel to ensure shared use of the Site Access.

d. All roads that accommodate general traffic circulation through the Townhouse Property (the "Circulation Roads"), as determined by the Transportation Department, shall be designed and constructed to VDOT standards and taken into the State System. Setbacks from the Circulation Roads shall be as identified for special access streets pursuant to Section 19-505(b) of the Zoning Ordinance but will be sufficient to accommodate the sidewalks and street trees proffered herein.

e. Prior to the recordation of the initial subdivision plat establishing lots within the Townhouse Property, the developer shall pay $170,000 to the County to be applied to the cost to construct an extension of or improvements to Carver Heights Drive, or for other road improvements within the Property's traffic shed as defined in the County's cash proffer policy. (T)

THE FOLLOWING PROFFER IS APPLICABLE ONLY TO THE TOWNHOUSE PROPERTY AND THE USE EXCEPTION PROPERTY:

(CPC) 4. Textual Statement. In conjunction with the approval of this request, the Textual Statement dated May 16, 2006, shall be approved. (P)

THE FOLLOWING PROFFERS ARE APPLICABLE ONLY TO THE COMMERCIAL PROPERTY:

(CPC) 5. Architectural Compatibility. For the purposes of architectural treatment, the C-3 and O-2 tracts shall be considered as part of a project consisting of these tracts plus Tax ID 777-653-9412. (P)

(CPC) 6. Sidewalk. A sidewalk shall be provided along the south side of Ironbridge Road for the entire frontage of the Commercial Property. The exact design and location of the sidewalk shall be approved by the Transportation Department. To the extent allowed by VDOT, the sidewalk may be located within the public right of way. (P)

THE FOLLOWING PROFFERS ARE APPLICABLE ONLY TO THE TOWNHOUSE PROPERTY:

(CPC) 7. Dwelling Size and Building Materials.

a. Each dwelling unit shall have a minimum gross floor area of one thousand three hundred fifty (1,350) square feet.

b. Not less than forty (40) percent of the exposed portions of the front of each grouping of dwelling units shall be constructed of brick veneer. All other exposed exterior portions of each dwelling unit shall be constructed of vinyl siding or cement board siding or other materials of similar quality, durability, and appearance as approved by the Planning Commission in connection with tentative subdivision plan review. Roofs on dwelling units shall be of asphalt shingles or other materials with a minimum life of 20 years. (P)

(CPC) 8. Driveways. All private driveways shall be hardscaped with asphalt, concrete or aggregate. (P)

(Staff Note: Proffered Condition 9 (previously known as Proffered Condition 11) has been amended since the Commission's consideration of this case.)

(AMENDED) 9. Cash Proffer. The applicant, subdivider, or assignee(s) shall pay the amounts set forth below to the County of Chesterfield, prior to the issuance of a building permit for each new dwelling unit for infrastructure improvements within the service district for the Townhouse Property:

A. For all dwelling units:

1. $15,600.00 per dwelling unit, if paid prior to July 1, 2006; or

2. The amount approved by the Board of Supervisors not to exceed $15,600.00 per dwelling unit adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2005 and July 1 of the fiscal year in which the payment is made if paid after June 30, 2006.

B. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the Townhouse Property, the amount paid in cash proffers shall be in lieu of or credited toward, but not be in addition to, any impact fees in a manner as determined by the County. (B&M)

(CPC) 10. Recreation. Pursuant to Section 19-105(o) of the Zoning Ordinance, the following recreational areas and facilities shall be provided with a total

acreage equal to or greater than the acreage required by the Zoning Ordinance:

a. An outdoor fitness system for active recreation to include (i) jogging or walking trails hardscaped with asphalt or other materials approved by the Planning Department and (ii) fitness stations or fitness clusters adjacent to the trails constructed primarily of wood or other materials of a natural appearance.

b. Park-like areas for passive recreation, hardscaped with features such as benches, gazebos or similar structures.

c. A playground area designed for use by small children with playground equipment constructed primarily of wood or other materials of a natural appearance, provided any playground areas shall be located a minimum of forty (40) feet from the property lines of lots within the Townhouse Property and a minimum of thirty-five (35) feet from any public roads.

d. A clubhouse building of a minimum size of 1,600 gross square feet. (P)

(CPC) 11. Garages. A minimum of fifty-one (51) percent of the total dwelling units shall initially be constructed with either a one (1) car garage or a two (2) car garage. The front of each front-loaded garage shall be located no closer to the Circulation Roads than the front façade of the dwelling unit it serves. (P)

(CPC) 12 Sidewalks. Sidewalks shall be provided on both sides of all rights of way for the Circulation Roads and along the southern line of the right of way for any roadway which extends Rivington Drive to connect Edenshire Road and Branders Creek Drive (the "Connector Road"). To the extent allowed by VDOT, such sidewalks may be located within the public rights of way. (P)

(CPC) 13 Street Trees. Street trees shall be installed along each side of the Circulation Roads and along the southern line of the right of way for the Connector Road. (P)

(CPC) 14. Project Identification Signs. Any Residential Community Identification signs shall be a monument design and shall not exceed a height of six (6) feet. (P)

(CPC) 15. Light Poles. Light poles shall have maximum height of fifteen (15) feet. (P)

(CPC) 16. Access. No lots shall have direct vehicular access from Edenshire Road or sole access to Ironbridge Road via Edenshire Road. (P)

GENERAL INFORMATION

Location:

South line of Iron Bridge Road; and the southeast quadrant of Edenshire Road and Rivington Drive. Tax IDs 776-652-0051, 1462, 2477, 3293 and 7829; 777-652-3981 and Part of 6715; and 777-653-3211.

Existing Zoning:

A, R-15 and O-2

Size:

47.6 acres

Existing Land Use:

Single family residential or vacant

Adjacent Zoning and Land Use:

North - C-2, O-2 and A; Office or vacant
South - R-MF and A; Multifamily residential or single family residential
East - C-5; Vacant
West - R-15 and A; Single family residential or vacant

UTILITIES

Public Water System:

There is an existing sixteen (16) inch water line extending along the south side of Iron Bridge Road within an easement across the request site. In addition, a twelve (12) inch water line extends south from Iron Bridge Road along the east side of Branders Creek Drive adjacent to the eastern boundary of this site and an eight (8) inch water line extends along Rivington Drive in Edenshire Subdivision and terminates adjacent to the western boundary of this site. Use of the public water system has been proffered (Proffered Condition 1). Internal looping of water lines including connecting to the existing water lines along Branders Creek Drive and Rivington Drive will be required with this development.

Public Wastewater System:

This site is within the service area of the Piney Branch Wastewater Pump Station, which is located adjacent to Carver Heights Drive, approximately 1,000 feet east of this site. A twelve (12) inch wastewater trunk line was constructed in conjunction with the River Forest Apartments from the Piney Branch Wastewater Pump Station to a point on the northern section of Quite Pine Circle, approximately 260 feet southeast of this site. Only the northern portion of the request site could possibly be served from this twelve (12) inch wastewater line. The majority of the request site, as well as any future upstream development within the pump station service area, will require extending a wastewater line from the Piney Branch Wastewater Pump Station, west along Carver Heights Drive, and within an easement across the southern portion of the River Forest Apartments, to the eastern boundary of this site. Use of the public wastewater system has been proffered (Proffered Condition 1). All wastewater lines constructed in conjunction with development of the request site must be of adequate size, and installed at adequate depth, to serve up-stream development.

ENVIRONMENTAL

Drainage and Erosion:

The subject property drains to the south to a tributary of Swift Creek. There are currently no known on- or off-site drainage or erosion problems and none are anticipated after development.

The property is currently wooded and, as such, should not be timbered without obtaining a land disturbance permit from the Department of Environmental Engineering (Proffered Condition 2). This will ensure that adequate erosion control devices are installed prior to timbering.

Water Quality:

The tributary to the rear of the property is a perennial stream and, as such, is subject to a 100 foot conservation area within which uses are very limited.

PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program. The residential portion of this development will have an impact on these facilities.

Fire Service:

The Public Facilities Plan indicates that fire and emergency medical service (EMS) calls are expected to increase forty-four (44) to seventy-eight (78) percent by 2022. Six (6) new fire/rescue stations are recommended for construction by 2022 in the Plan. In addition to the six (6) new stations, the Plan also recommends the expansion of five (5)

existing stations. Based on 155 dwelling units, this request will generate approximately forty-three (43) calls for fire and emergency medical service each year. The applicant has addressed the impact of this request on fire and EMS. (Proffered Condition 9)

The Chester Fire Station, Number 1 and Bensley Bermuda Volunteer Rescue Squad currently provide fire protection and emergency medical service. When the property is developed, the number of hydrants, quantity of water needed for fire protection, and access requirements will be evaluated during the plans review process.

Schools:

Approximately eighty-two (82) students will be generated by this development. Currently this site lies in the Ecoff Elementary School attendance zone: capacity - 782, enrollment – 773; Carver Middle School zone: capacity – 1,229, enrollment – 1,287; and Bird High School zone: capacity - 1,722, enrollment - 1,835. The enrollment is based on September 30, 2005 and the capacity is as of 2005-2006. This request will have an impact at the elementary and secondary levels. There are currently four (4) trailers at Ecoff Elementary; nine (9) at Carver Middle and five (5) at Bird High School.

A new middle school is scheduled to open in 2009. The new middle school will provide relief for Chester and Carver Middle Schools. This area of the county continues to experience growth and this school will provide much needed space.

This case combined with other residential developments and zoning cases in the area, will continue to push these schools to capacity, especially at the secondary level, necessitating some form of relief in the future. The applicant has addressed the impact of this development on schools facilities. (Proffered Condition 9)

Libraries:

Consistent with the Board of Supervisors' policy, the impact of development on library services is assessed countywide. Based on projected population growth, the Public Facilities Plan identifies a need for additional library space throughout the County.

Development would most likely affect the Central Library or the Chester Library. The Plan identifies a need to expand the Chester Library. The applicant has addressed the impact of this development on library facilities. (Proffered Condition 9)

Parks and Recreation:

The Public Facilities Plan identifies the need for three (3) new regional parks, seven (7) community parks, twenty-nine (29) neighborhood parks and five (5) community centers by 2020. In addition, the Public Facilities Plan identifies the need for ten (10) new or expanded special purpose parks to provide water access or preserve and interpret unique recreational, cultural or environmental resources. The Plan identifies shortfalls in trails and recreational historic sites.

The applicant has addressed the impact of this development on these parks and recreation facilities. (Proffered Condition 9)

Transportation:

The applicant is requesting rezoning of the property (47.6 acres) to Residential Townhouse (R-TH) on 38.0 acres, Corporate Office (O-2) on 2.2 acres, Community Business (C-3) on 6.4 acres, and Multifamily Residential (R-MF) on 1.0 acre. Staff does not support this request because the applicant is unwilling to provide for the construction of a proposed Thoroughfare Plan road.

The request will restrict the use on five (5) acres of the R-TH tract to a single-family dwelling. Development of the O-2 and C-3 tracts must adhere to the Development Standards Manual in the Zoning Ordinance, relative to access and internal circulation (Division 5). This request will not limit development of those commercial tracts to a specific land use; therefore, it is difficult to anticipate traffic generation. Based on townhouse, general office and shopping center trip rates, development could generate 6,370 average daily trips. Vehicles generated by this development will be initially distributed along Edenshire Road and along Branders Creek Drive to Iron Bridge Road (Route 10), which had a 2005 traffic count of 22,126 vehicles per day. The capacity of the four-lane section of Route 10 between Branders Bridge Road and Lewis Road is acceptable (Level of Service B) for the volume of traffic it carries.

The Thoroughfare Plan identifies Route 10 as a major arterial with a recommended right of way width of 120 to 200 feet. The applicant has proffered to dedicate one hundred (100) feet of right of way measured from the centerline of Route 10, in accordance with that Plan. (Proffered Conditions 3.a.1)

The Thoroughfare Plan also identifies a proposed east/west major arterial ("Carver Heights Extended") with a recommended right of way width of ninety (90) feet, running parallel to Route 10 and extending from Branders Bridge Road to west of Lewis Road. The alignment of Carver Heights Extended goes through the southern part of the property. Based on available information, there is a forty (40) foot wide unimproved right of way along the southern boundary of the property. The applicant has proffered to dedicate up to a ninety (90) foot wide right of way for Carver Heights Extended through the property. (Proffered Conditions 3.a.2)

Access to major arterials, such as Route 10, should be controlled. The applicant has proffered that, except for a private driveway that will serve only the single-family dwelling, direct access from the property to Route 10 will be limited to one (1) entrance/exit (Proffered Condition 3.c). This access will be located at the western boundary of the C-3 tract, and will be limited to right-turns-in and right-turns-out only. Proffered Condition 3.c requires that an access easement be recorded across the property to provide shared use of this access with the adjacent parcel to the west.

The property has frontage on Edenshire Road and on Branders Creek Drive. The applicant intends to construct an east/west street connecting these roads. Included in the Subdivision Ordinance is the Planning Commission's Stub Road Policy. The Policy suggests that subdivision streets anticipated to carry 1,500 vehicles per day or more should be designed as "no-lot frontage" collector roads. The proposed east/west street should be designed and constructed as a collector road. The right of way for Edenshire Road was recorded with Edenshire Subdivision. Edenshire Subdivision was recorded prior to the adoption of the Stub Road Policy. The Central Area Plan suggests that all the lots within Edenshire Subdivision would be appropriate for office/residential mixed use. Traffic generated by this development and adjacent developments traveling along that street is anticipated to exceed the acceptable subdivision street volume as defined by the Stub Road Policy.

Part of the property will be developed for residential townhouses. Staff recommends that all of the main streets in these types of development be accepted into the State Highway System. Having these streets accepted into the State Highway System will insure their long-term maintenance. The applicant has proffered that all of the streets that will accommodate general traffic circulation in the R-TH tract, will be designed and constructed to State (i.e., the Virginia Department of Transportation) standards and taken into the State System. (Proffered Condition 3.d)

The traffic impact of this development must be addressed. The applicant has proffered the customary road improvements such as construction of a right turn lane along Route 10 at the approved access and at Edenshire Road; construction of a sidewalk along the Route 10 frontage of the C-3 tract; widening of Edenshire Road at Route 10; and traffic signalization at the Edenshire Road/Route 10 intersection, if warranted. (Proffered Condition 3.b)

Acquisition of "off-site" right-of-way is not anticipated to be necessary to construct the proffered road improvements along Edenshire Road. According to Proffered Condition 3.b.4, if the developer needs off-site right-of-way for any of the improvements to Edenshire Road and is unable to acquire it, the developer may request the county to acquire the right-of-way as a public road improvement. All costs associated with the acquisition will be borne by the developer. If the county chooses not to assist with the right-of-way acquisition, the developer will not be obligated to acquire the off site right-of-way, and will only be obligated to construct road improvements within available right-of-way. (Proffered Condition 3.b.4)

As noted, the applicant has proffered to provide the right of way for Carver Heights Extended. The applicant is unwilling to provide for the total cost to construct this road. The applicant's engineer submitted an estimate of $340,000 to construct Carver Heights Extended through the southern part of the property. Staff agrees with the estimate to construct this road, based solely on current construction costs from other projects. The actual cost of this construction cannot be determined until the work is completed and may be more or less than this estimated amount. The applicant has proffered to contribute half, $170,000, of the construction estimate (Proffered Condition 3.e). According to the

proffer, the contribution could be applied towards the construction of Carver Heights Extended or other road improvements within this cash proffer traffic shed. Staff recommends that the developer provide the full cost to construct this road through the property.

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this proposed residential development. The applicant has proffered to contribute cash, in an amount consistent with the Board of Supervisors' Policy, towards mitigating the traffic impact of the residential development (Proffered Condition 11). As development continues in this part of the county, traffic volumes on area roads will substantially increase. Cash proffers alone will not cover the cost of the improvements needed to accommodate the traffic increases. No public road improvements in this part of the county are currently included in the Six-Year Improvement Plan. There is a county bond-funded project to widen Route 10 from Frith Lane to Greenyard Road with turn lanes at Beach Road, schedule to begin in Spring 2010.

As previously stated, the applicant is unwilling to provide for the full cost to construct Carver Heights Extended through the property. Without this commitment, the Transportation Department cannot support this request.

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	155*	1.00
Population Increase	421.60	2.72
Number of New Students		
Elementary	36.12	0.23
Middle	20.15	0.13
High	26.20	0.17
TOTAL	82.46	0.53
Net Cost for Schools	$828,940	$5,348
Net Cost for Parks	93,620	604
Net Cost for Libraries	54,095	349
Net Cost for Fire Stations	62,775	405
Average Net Cost for Roads	1,386,010	8,942
TOTAL NET COST	$2,425,440	$15,648

*Based on an average actual yield of 4.7 units per acre. The actual number of units and corresponding impact may vary.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries, and fire stations at $15,648 per unit. The applicant has been advised that a maximum proffer of $15,600 per unit would defray the cost of the capital facilities necessitated by this proposed development. The applicant has been further advised that a maximum proffer of $10,269 per unit would defray the cost of capital facilities necessitated by development of the age-restricted portion of the proposed development, as it will not have an increased impact on school facilities.

When the Planning Commission heard this case, the applicant was offering cash in the amount of $15,600 per unit for units with more than two bedrooms and which are not age restricted. The applicant further offered $10,269 for units that are designated as age-restricted or for units with two or less bedrooms. The latter Proffered Condition did not adequately address the impact of the proposed development on school facilities for units with two or less bedrooms. Since that time, the applicant has revised the Proffered Conditions to adequately address the impact of the proposed development on all categories of capital facilities. (Proffered Condition 9)

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Central Area Plan which suggests the eastern portion of the property is appropriate for community scale commercial uses while the western portion is appropriate for mixed use corridor uses which includes office uses and residential developments of various densities.

Area Development Trends:

Properties to the north are zoned Neighborhood Business (C-2), Corporate Office (O-2) and Agricultural (A) and are developed as an office use or are currently vacant. Properties to the south are zoned Multifamily Residential (R-MF) or Agricultural (A) and are developed as the River Forest Apartments or occupied by a single family use. Property to the east is zoned General Business (C-5) and are vacant outparcels associated with the Ironbridge Plaza Shopping Center. Properties to the west are zoned R-15 as part of the Edenshire Subdivision or Agricultural and are occupied by single family dwellings or are currently vacant. It is anticipated that development bordering Branders Creek Drive between Iron Bridge Road and Carver Heights Drive will continue for commercial and high density residential development, transitioning to office and residential development of various densities moving west from this intersection.

Zoning History:

On July 26, 1989, the Board of Supervisors, upon a favorable recommendation by the Planning Commission, approved the rezoning of a 113 acre tract to Multifamily

Residential (R-MF), General Business (B-3), Light Industrial (M-1) and Office Business (O) for a mixed use development located on the south line of Iron Bridge road across from Chalkley Road (89SN0110). This project included the O-2 portion of the current request.

Site Design: Commercial and Office:

The request property lies within an Emerging Growth Area. Unless specifically addressed by proffered conditions, development of the site must conform to the requirements of the Zoning Ordinance for the Emerging Growth District Area. These standards address access, parking, landscaping, architectural treatment, pedestrian access, signs, buffers, utilities, and screening of dumpsters, loading areas and setbacks.

Architectural Treatment and Sidewalks (Commercial and Office):

At the request of the Bermuda District Commissioner, Proffered Condition 5 addresses architectural compatibility between this project and a parcel located on the east line of Branders Creek Drive.

In addition, at the request of the Bermuda District Commissioner in promoting pedestrian connectivity along Iron Bridge Road, Proffered Condition 6 requires the provision of a sidewalk along Route 10.

Uses and Site Design: Residential Townhouse:

Currently, a single family dwelling is located on the northern portion of the proposed R-TH property, identified as the "Area for Use Exception" on the attached Zoning Map. An exception is requested to permit continued use of this property for a single family dwelling, exclusively (Textual Statement Use Exception 1). This condition would require that any future redevelopment obtain a zoning amendment or rezoning of the property.

Development of the remaining thirty-three (33) acres of the proposed R-TH zoning will comply with the requirements of the Ordinance for Residential Townhouse (R-TH) Districts with the exception of lot coverage, common areas between unit groups and parking, as discussed herein.

Lot Coverage (R-TH):

The Ordinance limits the coverage of buildings on any R-TH lot to no more than fifty (50) percent of the lot area. An exception is requested to increase this coverage to sixty (60) percent to provide development flexibility. Exceeding the lot coverage requirements by ten (10) percent is not problematic.

Parking (R-TH):

The Ordinance requires the provision of two (2) off-street parking spaces for each dwelling unit. An exception is requested to permit parking within garages to be credited towards this minimum requirement (Textual Statement Bulk Exceptions 3). This exception generates two concerns. Given that garages are often used for purposes other than the parking of residents' vehicles, there may be a lack of on-site parking not only for residents but also for visitors. Further, should garages later be converted to storage or living spaces, off-street parking areas would be eliminated. Therefore, off-street parking should be provided outside of private structures, whether in individual driveways or in common parking areas within the development. Staff recommends that Textual Statement Bulk Exceptions 3 not be accepted.

It should be noted that the proffers require that fifty-one (51) percent of the units initially have a garage. Staff will track this provision section by section unless an overall plan is submitted.

Cluster Standards (R-TH):

As previously noted, the request incorporates exceptions to Ordinance requirements (Proffered Condition 4 – Textual Statement). As such, standard conditions are typically offered to address the quality of these smaller lot developments through the use of design and the provision of appropriate amenities. With the exception of a focal point, the requirements offered for this project are consistent with those typically required by the Commission and Board on similar projects. These include provision of sidewalks, street trees, paved driveway and garage orientation. (Proffered Conditions 8, 11, 12 and 13)

Dwelling Size, Building Materials, Lighting and Signage (R-TH):

Proffered Condition 7 address minimum dwelling size and building materials.

Proffered Condition 15 addresses the maximum height of light poles.

Currently, the Ordinance permits residential community identification signs at a maximum height of fifteen (15) feet. Proffered Condition 14 limits sign height to six (6) feet with a monument style.

Recreational and Open Space:

Within the R-TH District, a minimum of ten (10) percent of the gross acreage must be provided for recreational uses, including active and passive recreation and community buildings. Proffered Condition 10 addresses amenities to be included within these recreational areas.

Within the R-TH District, a minimum of twenty (20) percent of the gross acreage must be provided within common open areas, exclusive of driveways, parking areas and

recreation areas. Within smaller lot developments, focal points are encouraged in a central location to visually provide green space at the entrance of a development. Generally, focal points should be a minimum of .75 acres to provide usable open spaces to accommodate hardscaping and facilitate the gathering of residents. The application fails to provide for a focal point.

Access to Edenshire Road:

The proposed R-TH portion of the request fronts on Edenshire Road which serves Edenshire Subdivision. Should Edenshire Road serve as a sole access to a portion of the proposed development, lot size and density compatibility with lots in Edenshire Subdivision would need to be addressed. The applicant has proffered that no lots within the proposed R-TH development will have direct access or sole access from Edenshire Road thereby eliminating the need to address this compatibility issue. (Proffered Condition 16)

CONCLUSIONS

While the proposed zoning and land uses conform to the Central Area Plan which suggests the eastern portion of the property is appropriate for community scale commercial uses while the western portion is appropriate for mixed use corridor uses which includes office uses and residential developments of various densities, the application fails to address the traffic impact in regards to construction of the Thoroughfare Plan road, as discussed herein.

The proffered conditions adequately address the impacts of this development on necessary capital facilities, as outlined in the Zoning Ordinance and Comprehensive Plan. Specifically, the need for schools, parks, libraries, fire stations and roads is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program, and the impact of this development is discussed herein. The proffered conditions mitigate the impact on capital facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens.

The requested exception to the provision of off-street townhouse parking exclusive of individual garages may result in long-term deficiencies in parking. Proffered conditions do not address the provision of a focal point to meet the typical standard for similar projects.

Given these considerations, denial of this request is recommended.

CASE HISTORY

Planning Commission Meeting (3/21/06):

At the request of the applicant, the Commission deferred this case to May 16, 2006.

Staff (3/22/06):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than March 27, 2006, for consideration at the Commission's May 16, 2006, public hearing. Further, the applicant was advised that a $250.00 deferral must be paid prior to the Commission's public hearing.

Applicant (4/6/06):

The deferral fee was paid.

Applicant (5/5/06):

Revised proffered conditions and textual statement were submitted.

Applicant (5/16/06):

Revised proffered conditions relative to clubhouse size were submitted.

A revised Textual Statement was also submitted addressing common area between rows of townhomes.

Planning Commission Meeting (5/16/06):

The applicant did not accept staff's recommendation, but did accept the Planning Commission's recommendation. There was no opposition present.

Mr. Wilson indicated that he was not convinced that this applicant should bear the full cost of construction of Carver Heights Drive Extended; that the school cash proffer is consistent with that accepted for similar cases limiting the number of bedrooms; that since the only exception requested to the R-TH standards is parking, imposition of the typical focal point requirements may not be appropriate; and that he was not convinced that parking in garages should not be counted toward the required number of parking spaces.

There was general discussion among the Commission as to whether a reduced cash proffer for school impacts is appropriate where the project is not age restricted. They noted that the previous case on the same agenda had offered full cash proffer except for those units which are specifically age restricted. The Commission requested that staff notify the Board of the differences in the two cases and suggested that the issues should be addressed by the Commission and Board.

On motion of Mr. Wilson, seconded by Mr. Bass, the Commission recommended approval and acceptance of the proffered conditions on pages 2 through 8.

AYES: Unanimous.

Board of Supervisors' Meeting (6/28/06):

On their own motion, the Board deferred this case to July 26, 2006.

Staff (6/29/06):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than July 5, 2006, for consideration at the July 26, 2006, public hearing.

Applicant (7/11/06):

Proffered conditions were revised to fully address impacts of the residential uses on capital facilities. Proffered conditions referencing age-restricted units were withdrawn.

The Board of Supervisors, on Wednesday, July 26, 2006, beginning at 7:00 p.m., will take under consideration this request.

Textual Statement
for Princeton Properties, Inc.

May 16, 2006

Overall Description

Approval for rezoning of a total of 47.6 acres is sought by application from Princeton Properties dated November 15, 2005, as amended February 17, 2006 (the "Application"). Approval of a 38.0 acre portion of that property, located on the south line of Ironbridge Road (Route 10), west of the River Forest Apartments and east of the Edenshire subdivision designated as Chesterfield County Tax IDs 776-652-2477, 776-652-3293, 776-652-0051, 776-652-1462 and a portion of 776-652-7829 (the "Townhouse Property") is being requested from A and R-15 to R-TH with a Conditional Use Planned Development to allow a modification of the development conditions of the R-TH District and the continued use of a 5.0 acre portion of the Townhouse Property for a single-family residence, all as more particularly described in this Statement.

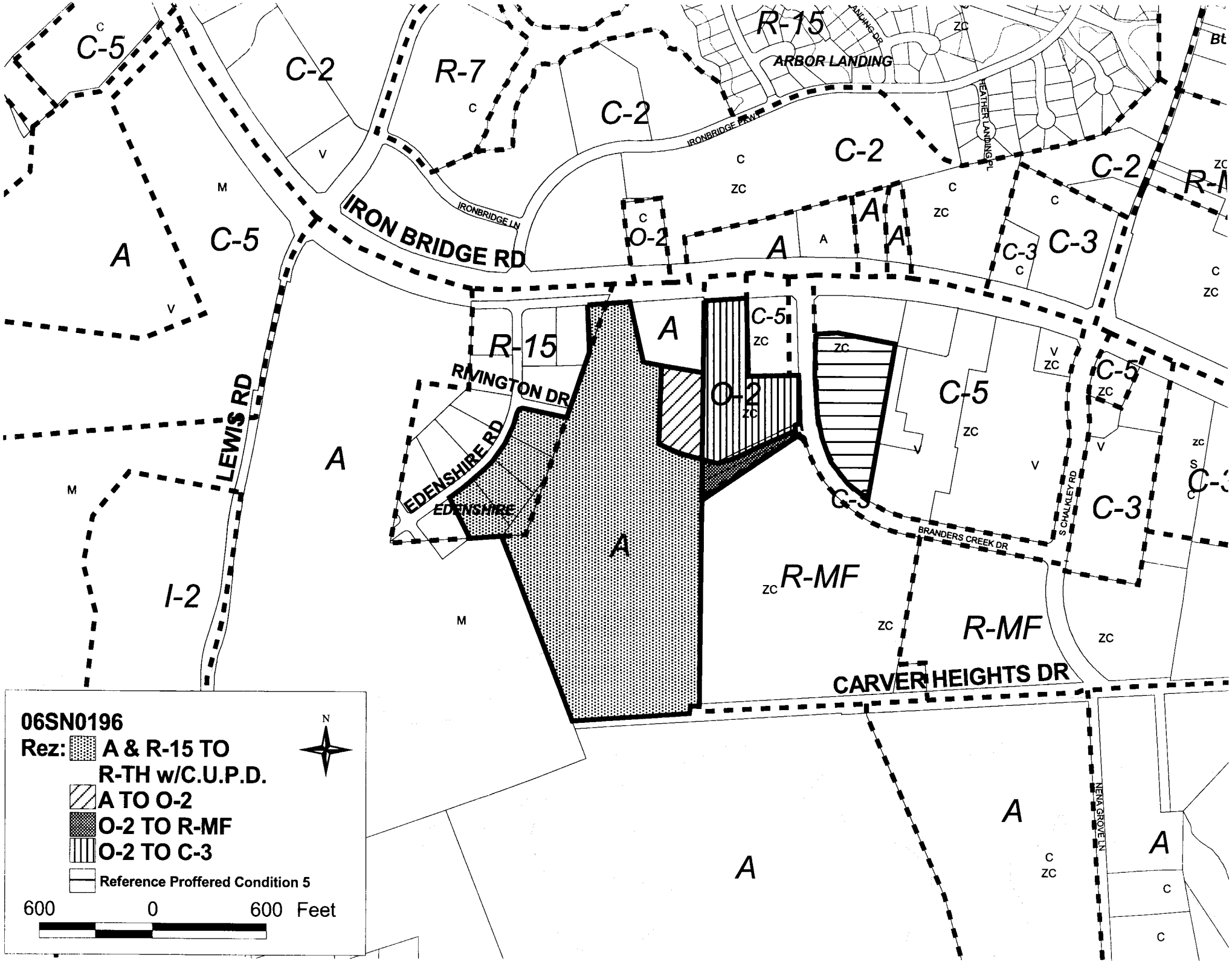
Use Exception

1. The property shown in hatched lines and identified as "Area for Use Exception" on that certain Zoning Map prepared by Townes Site Engineering dated November 3, 2005, last revised February 13, 2006, a copy of which is submitted with this application (the "Use Exception Property"), shall be permitted for, and restricted to, use as a single-family detached residential dwelling in accordance with the regulations, restrictions and conditions of the A (Agricultural) zoning district as set forth in the Zoning Ordinance of Chesterfield County. This property shall not be used for the purpose of calculating the density permitted on the Townhouse Property.

Bulk Exceptions

1. Percentage of lot coverage. All buildings, including accessory buildings, on any lot shall not cover more than 60 percent of the lot's area.

2. In satisfaction of the requirement for parking spaces in Section 19-513(a)(1) of the Zoning Ordinance, a one-car garage shall qualify as one off-street parking space and a two-car garage shall qualify as two off-street parking spaces.



06SN0196
Rez: A & R-15 TO R-TH w/C.U.P.D.
A TO O-2
O-2 TO R-MF
O-2 TO C-3
Reference Proffered Condition 5
600 0 600 Feet
N
IRON BRIDGE RD
LEWIS RD
RIVINGTON DR
EDENSHIRE RD
EDENSHIRE
ARBOR LANDING
IRONBRIDGE PKWY
IRONBRIDGE LN
HEATHER LANDING PL
BRANDERS CREEK DR
S CHALKLEY RD
CARVER HEIGHTS DR
NENA GROVE LN
R-15
R-7
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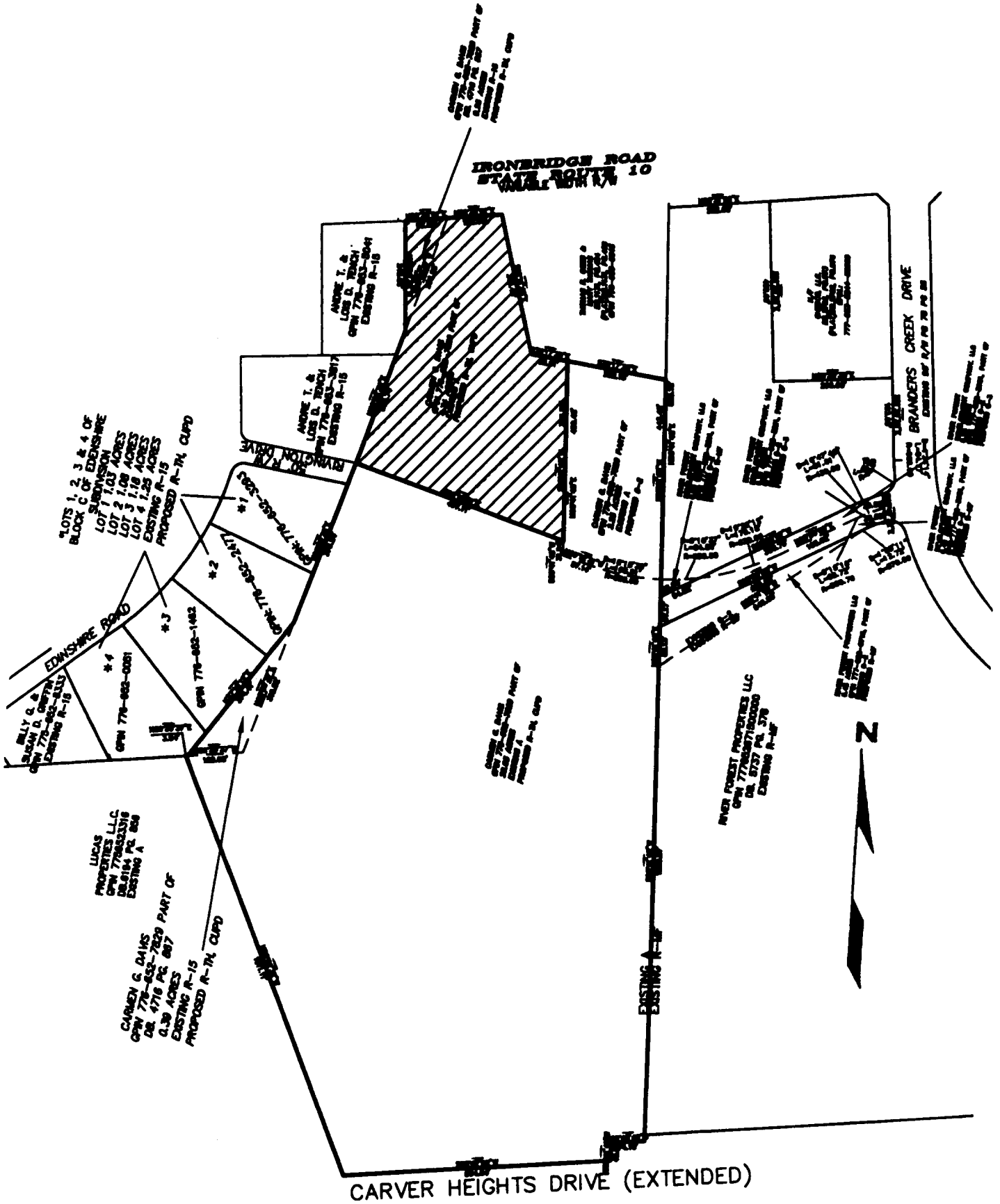
O-2
A
R-MF
I-2



ZONING MAP Denotes Area for Use Exception (Reference Textual Statement)

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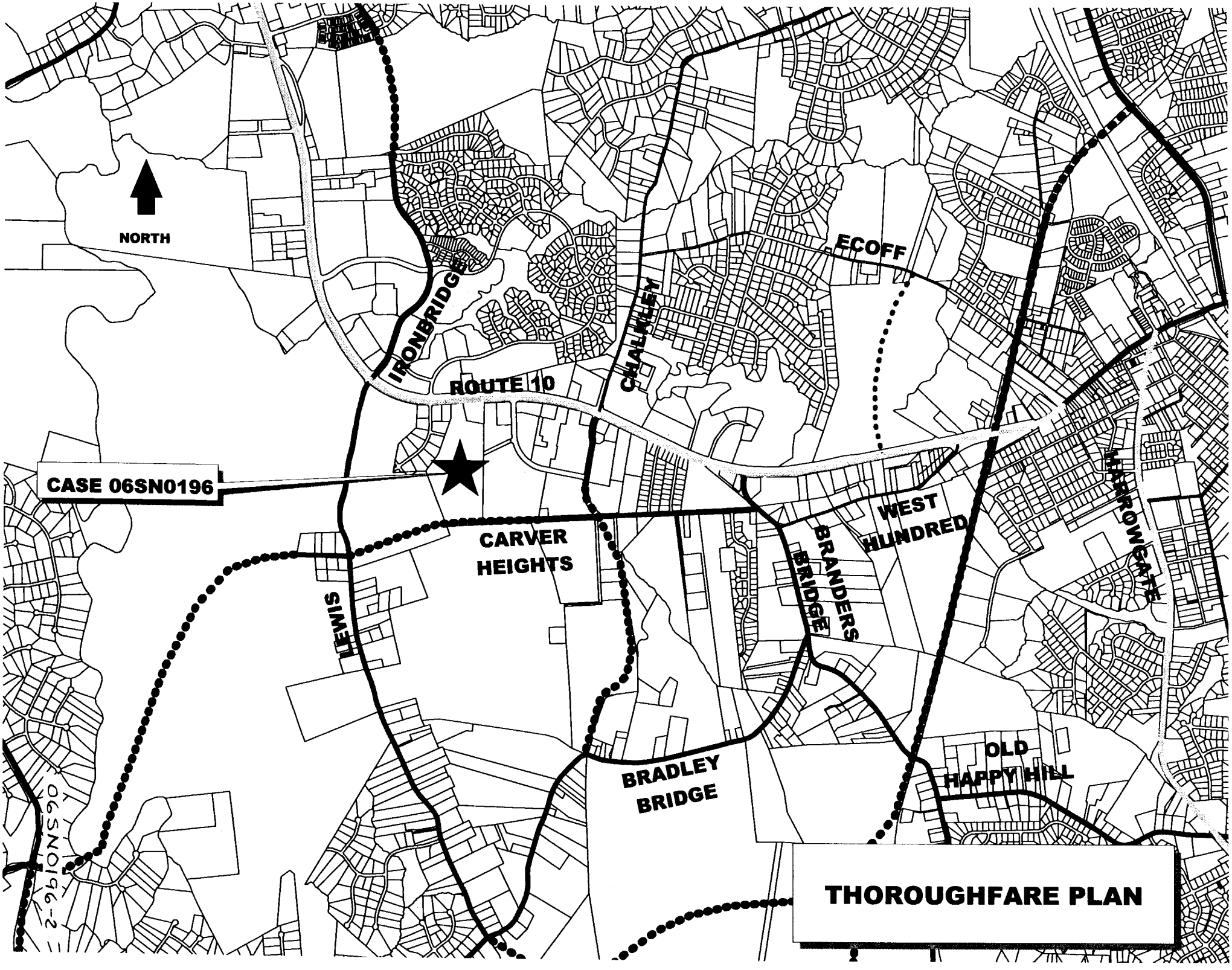
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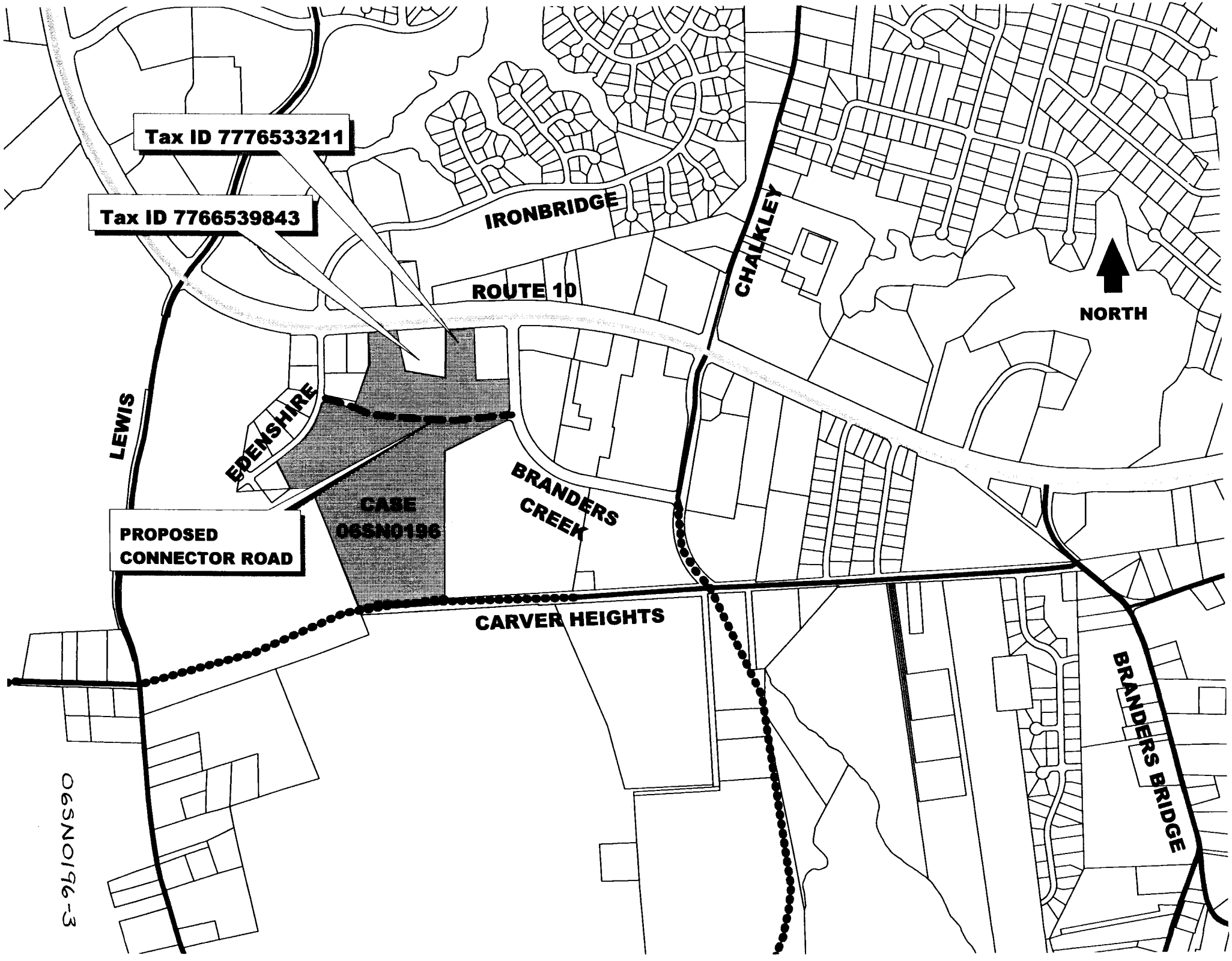
ECOFF
IRONBRIDGE
CHALKLEY
ROUTE 10
CASE 06SN0196
CARVER HEIGHTS
WEST HUNDRED
BRANDERS BRIDGE
HARROWGATE
LEWIS
BRADLEY BRIDGE
OLD HAPPY HILL
THOROUGHFARE PLAN
06SN0196-2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ROUTE 10
CHALKLEY
NORTH
LEWIS
EDEMSHIRE
CASE
06SN0196
BRANDERS
CREEK
PROPOSED
CONNECTOR ROAD
CARVER HEIGHTS
BRANDERS BRIDGE

06SN0196-3