~~February 20, 2007 CPC~~
~~May 15, 2007 CPC~~
~~July 17, 2007 CPC~~
~~August 21, 2007 CPC~~
~~September 18, 2007 CPC~~
October 16, 2007 CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

05SN0239
(AMENDED)

The Cheatham Family Limited Partnership

Clover Hill Magisterial District
Woolridge Elementary, Swift Creek Middle and Clover Hill High Schools Attendance Zones
Northwest quadrant of Hull Street Road and Route 288

REQUESTS: I. (AMENDED) Rezoning from Agricultural (A) to Community Business (C-3) with Conditional Use to permit multifamily and townhouse uses plus a Conditional Use Planned Development to permit exceptions to Ordinance requirements.

II. Waiver to street connectivity to Red Chestnut Drive.

PROPOSED LAND USE:

A mixed-use development consisting of various housing types, office and commercial uses is planned. Residential development would be limited to no more than 600 units. There is the potential that the only uses developed will be residential in nature.

RECOMMENDATION

Request I: Recommend approval of the rezoning subject to the applicant addressing access concerns. This recommendation is made for the following reasons:

A. The proposed zoning and land uses conform to the Upper Swift Creek Plan which suggests the property is appropriate for regional mixed use uses, including high density residential, corporate office and commercial uses. The proposal also complies with the proposed amendment to the Upper Swift Creek Plan as recommended by the Planning Department.

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 needs for roads, schools, parks, libraries and fire stations 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 pr offered 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. Even with Proffered Conditions requiring that the residential units be sprinkled, failure to provide additional public road connection does not address the health, safety and welfare concerns of the Fire Department.

Request II: Recommend denial of the waiver to street connectivity requirement to Red Chestnut Drive for the following reason:

The evaluation of the Policy criteria for granting such relief necessitates design details that can best be provided through the subdivision review process.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER(S) MAY PROFFER CONDITIONS.)

PROFFERED CONDITIONS

1. Master Plan. The Textual Statement dated February 8, 2005, and last revised August 8, 2007, shall be considered the Master Plan. (P)

2. Utilities. Public water and wastewater systems shall be used. (U)

3. Senior Housing. Any dwelling units designated for "age restricted" housing shall be noted on the site plan and/or on any subdivision plat. Such dwelling units shall be grouped together as part of the same development section(s). (P)

4. Impacts on Capital Facilities. The applicant, subdivider, or assignee(s) shall pay the following to the County of Chesterfield, for infrastructure improvements within the service district for the property:

A. Prior to the issuance of a building permit for each dwelling unit other than age restricted dwelling units defined in Proffered Condition 14, the applicant, subdivider, or assignee(s) shall pay to the County of Chesterfield the following amounts for infrastructure improvement within the service district for the property:

1.) If payment is made prior to July 1, 2007, $15,600.00 per dwelling unit;

2.) If payment is made after June 30, 2007, 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, 2006, and July 1 of the fiscal year in which the payment is made.

B. Prior to the issuance of a building permit for each dwelling unit that is designated "age-restricted" the applicant, subdivider, or assignee(s) shall pay to the County of Chesterfield the following amounts for infrastructure improvement within the service district for the property:

1.) If payment is made prior to July 1, 2007, $10,269.00 per dwelling unit. At time of payment $10,269.00 will be allocated pro-rata among the facility costs as follows: $602.00 for parks and recreation, $348.00 for library facilities, $8,915.00 for roads and $404.00 for fire stations; or

2.) If payment is made after June 30, 2007, the amount approved by the Board of Supervisors not to exceed $10,269.00 per dwelling unit pro-rated as set forth in Proffered Condition 4.B.1. above and adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2006, and July 1 of the fiscal year in which the payment is made.

C. At the option of the Transportation Department the cash proffer payment may be reduced for road improvements by an amount not to exceed the amount that would be paid in cash proffers for the road component as identified in Proffered Conditions 4.A. and 4.B. above, exclusive of those road improvements identified in Proffered Condition 8, performed by the applicant, subdivider, or assignee(s), as determined by the Transportation Department.

D. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law.

E. Should any impact fees be imposed by the County of Chesterfield at any time during the life of the development that are applicable to the 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 determined by the County. (B & M)

5. Timbering. Except for timbering approved by the Virginia State 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 installed. (EE)

6. Access to Hull Street Road. No direct vehicular access shall be provided from the property to Hull Street Road, other than an emergency access as referenced in Proffered Condition 13. (T)

7. Connectivity. A stub road shall be provided to GPIN #733-681-0761 and shall be constructed to VDOT standards prior to the recordation or site plan approval of more than 135 dwelling units. (T & P)

8. Road Improvements. The developer shall be responsible for the following:

   A. Construction of two (2) additional lanes to provide a four-lane divided facility for Market Square Lane from Old Hundred Road tot the western property line of the subject parcel;

   B. Construction of additional pavement to provide a four-lane, undivided facility (i.e. two (2) northbound lanes and two (2) southbound lanes) for Old Hundred Road from Millridge Parkway to Market Square Lane;

   C. Construction of additional pavement to provide a three (3) lane typical section (i.e. two (2) southbound lanes and one (1) northbound lane for Old Hundred Road from Market Square Lane to Tall Hickory Drive. The exact length of this improvement shall be approved by the Transportation Department;

   D. Deletion of the connection from Market Square Lane to the access drive located on GPIN #733-678-5976, with the exact design approved by the Transportation Department;

   E. Construction of a separate left turn lane along Old Hundred Road southbound at the Market Square Lane intersection;

   F. Construction of additional pavement along Old Hundred Road to provide an additional southbound lane at its intersection with Hull Street Road (Route 360);

   G. Full cost of traffic signalization at the Old Hundred Road/Market Square Lane intersection, if warranted, as determined by the Transportation Department;

   H. Full cost of traffic signal modification at the Route 360/Old Hundred Road intersection;

I. Dedication to Chesterfield County, free and unrestricted, any additional right-of-way (or easements) required for the improvements identified above. In the event the developer is unable to acquire any "off-site" right-of-way that is necessary for these improvements. The developer may request, in writing, that the County 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 "off-site" right-of-way, the developer shall be relieved of the obligation to acquire the "off-site" right-of-way and shall provide the road improvements within available right-of-way, as determined by the Transportation Department. (T)

9. Phasing Plan. Prior to any construction plan approval or prior to any site plan approval, whichever occurs first, a phasing plan for the required road improvements, as identified in Proffered Condition 8, shall be submitted to and approved by the Transportation Department. (T)

10. Transportation Density. For traffic planning purposes, the maximum density of this development shall be a combination of uses that would produce a maximum of 648 AM and 596 PM peak hour trips or equivalent densities as approved by the Transportation Department. (T)

11. Route 288 Setback. Except as noted here in, a minimum setback distance of two hundred (200) feet exclusive of required yards, shall be provided from the limited access right-of-way for Route 288 to any residential dwelling unit. Natural vegetation shall be retained within the setback area unless removal is required to install noise attenuation measures or is approved by the Planning Commission. This minimum setback distance from the limited access right-of-way for Route 288 may be reduced up to a distance of 150 feet for any multifamily residential building that exceeds two (2) stories in height and contains more than twenty (20) dwelling units if a noise study demonstrates that such a reduction is acceptable to the Director of Transportation. (T)

12. Public Roads. In residential development, all roads that accommodate general traffic circulation through the development, as determined by the Transportation Department, shall be designed and constructed to VDOT standards and taken into the State System. Setbacks from these roads shall be identified for special access streets pursuant to Section 19-505(b) of the Zoning Ordinance, subject to approval by the Planning Department and the Transportation Department at the time of site plan and/or tentative subdivision review. (T)

13. Emergency access. In lieu of a second public access, an emergency access shall be provided from the property to Hull Street Road, either directly or indirectly through GPIN #733-678-5976 or 733-678-9465 prior to occupancy of more than fifty (50) units. The location of this emergency access shall be reviewed and approved by the Transportation and Fire Department. The design and

maintenance of this emergency access shall be reviewed and approved by the Fire Department in conjunction with site plan approval. Additional emergency accesses may be approved by the Planning Commission at time of Schematic Plan approval. (T & F)

14. Age Restriction. Except as otherwise prohibited by the Virginia Fair Housing Law, the Federal Fair Housing Act, and such other applicable federal, state or local legal requirements, dwelling units designated as age-restricted shall be restricted to "housing for older persons"; as defined in the Virginia Fair Housing Law and no persons under 19 years of age shall reside therein. (P)

15. Building Height. Any buildings constructed within three hundred (300) feet of Nuttree Subdivision shall be limited to two stories in height or thirty five (35) feet in height, whichever is less. (P)

16. Lighting.

    a. Exterior lighting shall meet the requirements of the Zoning Ordinance for the Village District except that porch lights, lamps, decorative, and period lighting that is in keeping with the pedestrian oriented character of the development and that do not use high intensity discharge lamps, shall be exempted from said requirements. Lamps attached to a building shall be no higher than the roofline or parapet wall.

    b. Generally, streetlights shall be located on both sides of public roads. Streetlight fixtures, poles, and lamp types shall be consistent along a street. The maximum height of streetlights shall be twenty (20) feet. The selected streetlight shall be compatible with the pedestrian oriented character of the development. The exact type of streetlight(s) and the locations shall be determined at the time of Site Plan and/or Subdivision Plan review. (P)

17. Density. The total number of dwelling units shall not exceed 600. (P)

18. Open Space. At a minimum, the following Open Space areas shall be provided:

    a. Within the Property, a minimum of 25 percent of the gross acreage shall be devoted to open space.

    b. Of this open space, a minimum of 2.0 acres shall be usable to accommodate recreational and social gatherings for residents and employees. Facilities to accommodate these uses shall be provided in the usable open space and can include, but not to be limited to, pavilions, gazebos, neighborhood parks, trails, hardscaped areas with benches, and other amenities to facilitate community use. This open space may include a clubhouse, which shall serve as a focal point and gathering place for the

residents. Prior to the issuance of more than 300 residential certificates of occupancy, the clubhouse shall be completed.

c. Focal Point. A minimum of 0.75 acres of open space shall be provided to establish a "focal point". Part of the area shall be "hardscaped" and have benches and other amenities that accommodate and facilitate gatherings. A portion of the focal point may include areas devoted to water facilities. The focal point shall be developed concurrent with the first phase of residential development. The exact design and location shall be approved by the Planning Department at the time of site plan and/or tentative subdivision review. (P)

19. Second Public Road. A second public road access shall be constructed to VDOT standards prior to the recordation of a maximum of 135 single family and/or townhouse units and/or the recordation or site plan approval of a cumulative total of 400 dwelling units. (P)

20. Sprinkled Residential Units. Prior to a second public road access being provided all residential units shall be sprinkled. Any residential units that are constructed after the second public road excess is in place shall be constructed to the standard building code requirements. (F & BI)

GENERAL INFORMATION

Location:

North line of Hull Street Road, west line of Route 288 and located in the northwest quadrant of the intersection of these roads. Tax IDs 733-680-Part of 9439; 734-678-2276; and 734-681-0526 and 3904.

Existing Zoning:

A

Size:

63.5 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - A; Vacant
South - C-4: Commercial
East - A and I-1: Vacant
West - R-7, A and C-2: Single-family residential and commercial

UTILITIES

Public Water System:

There is an existing eight (8) inch water line crossing Market Square Lane approximately 230 feet west of this site. In addition, a twenty-four (24) inch water line extends along the north side of Hull Street Road adjacent to this site and an eight (8) inch water line extends along Red Chestnut Drive adjacent to the northwest boundary of this site. Use of public water is intended (Proffered Condition 2). Due to flow limitations in this area, the internal water line network within this development will require looping of water lines with connections at Hull Street Road and Red Chestnut Drive, in Nuttree Subdivision, Section 2.

Public Wastewater System:

A twenty-seven (27) inch wastewater trunk line extends along Nuttree Branch, adjacent to the northeast boundary of this site. In addition, an eight (8) inch wastewater collector line extends across a portion of this site to serve the existing Nuttree Subdivision and other adjacent development. Use of the public wastewater system is intended (Proffered Condition 2). Extending along the right of way of Route 288 within an easement on this site are two (2) wastewater force mains with a diameter of sixteen (16) and twenty-four (24) inches. The developer will be required to take whatever measures necessary to protect the existing force mains.

ENVIRONMENTAL

Drainage and Erosion:

The subject property drains to the north to Nuttree Creek and then from Nuttree Creek to Swift Creek. There are currently no 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 5). This will insure that adequate erosion control measures are in place prior to any land disturbance.

Water Quality:

Nuttree Creek and two (2) small creeks adjacent to Nuttree are perennial streams and, as such, are subject to a 100-foot conservation area inside of 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 new stations, the Plan also recommends the expansion of five (5) existing stations.

Based on 600 dwelling units, this request will generate approximately 136 calls for fire and emergency medical service each year. The applicant has addressed the impact on fire and EMS (Proffered Condition 4).

The Fire Department normally requires a second public road access for more than fifty (50) dwelling units. The applicant has proffered the use of an emergency access road in lieu of the second access (Proffered Conditions 6 and 13). The Fire Department does not approve of the use of an emergency access in lieu of a second public access to the site.

Proffered Condition 19 requires construction of a second public road access prior to the recordation of 135 single family and/or townhouse dwelling units or prior to the recordation or site plan approval of a cumulative total of 400 dwelling units. With this condition there is the potential for up to 399 dwelling units to be developed on only one public road access. Proffered Condition 20 would require all residential units be sprinklered if constructed prior to the provision of a second public road access. After the second access is constructed, all units would be constructed to standard building code requirements. These additional conditions still do not address the health, safety and welfare concerns of the Fire Department.

The Clover Hill Fire Station, Company Number 7, currently provides 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 318 (Elementary: 138, Middle: 78, High: 102) students will be generated by this development. Currently this site lies in the Clover Hill Elementary School attendance zone: capacity - 759, enrollment – 899; Swift Creek Middle School zone: capacity - 1,027, enrollment - 1,455; and Clover Hill High School zone: capacity - 1,582, enrollment - 1,593. The enrollment is based on September 29, 2006 and the capacity is as of 2006-2007.

This request will have an impact at the elementary, middle and high school level. There are currently six (6) trailers at Clover Hill Elementary, seventeen (17) at Swift Creek Middle and eleven (11) at Clover Hill High.

Tomahawk Creek Middle School is scheduled to open in the fall of 2008 and will provide relief for schools in this area of the county. A new Clover Hill High School will open in the fall of 2010.

This case combined with other residential developments and zoning cases in the area, will continue to push these schools over capacity, necessitating some form of relief in the future. The applicant has addressed the impact of this development on schools with Proffered Condition 4.

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 of the property noted in this case would most likely impact the La Prade Library, the Clover Hill Library or a proposed new branch library in the Reams-Gordon area. A need for additional library space in this area of the county is identified in the Public Facilities Plan. The applicant has addressed the impact of this development on library services. (Proffer Condition 4)

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 offered measures to assist in addressing the impact of this proposed development on these parks and recreational facilities. (Proffered Condition 4)

Transportation:

The property is approximately sixty-four (64) acres located in the northwest quadrant of the Route 288/Route 360 interchange. The applicant is requesting rezoning that will permit a mixture of commercial and residential uses. The Upper Swift Creek Plan suggests the property is appropriate for Regional Mixed Use, which could include a regional shopping center. Development of the property as a regional shopping center could generate approximately 19,000 average daily trips (ADT), with approximately 400

trips occurring during the AM peak hour and 1,800 trips occurring during the PM peak hour. The roads in this area cannot accommodate the additional traffic that would be generated by a regional shopping center. The applicant has proffered to limit development on the property to that which is anticipated to generate 648 AM peak hour and 596 PM peak hour trips (Proffered Condition 10). As an example, a mixture of 175 single-family units; 150 townhouses; 100 congregate care facility units; 150,000 square foot nursing home and 170,000 square feet of general office could be developed within these limitations. This mixture of uses would be anticipated to generate approximately 5,800 ADT, which is significantly less than the 19,000 ADT that would be anticipated with a regional shopping center.

These trips would be distributed to Old Hundred Road and Hull Street Road (Route 360). Old Hundred Road had a 2006 traffic count of 10,876 ADT and was at capacity (Level of Service E) based on the volume of traffic it carried during peak hours. Route 360 in this area had a 2006 traffic count of 67,324 ADT and was failing (Level of Service F) based on the amount of traffic it carried during peak hours. The volume of traffic on this section of Route 360 exceeds the capacity of the road, and drivers experience extreme congestion, especially during peak periods. The Virginia Department of Transportation Six-Year Improvement Program includes a project to widen Route 360 to six (6) and eight (8) lanes from Swift Creek to Winterpock Road. The construction of the westbound lanes was substantially completed and opened to traffic in November 2006. Work on the westbound lanes and the widening of eastbound lanes, which is currently underway, will be completed in 2007.

Due to the limited property frontage and the proximity to the Route 288 interchange, no direct access should be provided from the property to Route 360. The applicant has proffered that direct access to Route 360 will be limited to one (1) emergency access (Proffered Condition 6). The property also has access to Route 360 via an existing private driveway in the Market Square Shopping Center. The applicant has proffered to delete the easternmost connection from Market Square Lane to the Market Square Shopping Center, discouraging traffic from using the existing private driveway that accesses Route 360. (Proffered Condition 8.C)

The traffic impact of this development must be addressed. The applicant has proffered to provide significant road improvements such as widening of market Square Lane to a four (4) lane divided facility between Old Hundred Road and the western property line, widening Old Hundred Road to four (4) lanes between Market Square Lane and Millridge Parkway, widening Old Hundred Road to three (3) lanes from Market Square Lane to Tall Hickory Drive, constructing a separate left turn lane along Old Hundred Road at Market Square Lane, constructing an additional southbound lane at the Old Hundred Road/Route 360 intersection, and signalization of the Old Hundred Road/Market Square Lane intersection (Proffered Condition 8). Even with these improvements, the Old Hundred Road/Route 360 intersection will be beyond capacity (Level of Service F). Much of the traffic from this development will travel through this extremely congested intersection. There are no plans to provide any additional improvements to this

intersection and the only way to achieve an acceptable level of service would be to reconstruct it as a grade-separated facility.

The proffered improvements to Old Hundred Road will result in widening adjacent to the Planters Wood and Heritage Woods sections of the Brandermill Subdivision. Specifically, the improvements adjacent to Heritage Woods will result in Old Hundred Road being shifted closer to the rear yards of the homes adjacent to the roadway.

Off-site right-of-way may be required to construct some of the proffered road improvements. According to Proffered Condition 8.H, if the developer needs off-site right-of-way for construction of the improvements, and is unable to acquire it, the developer may request the county to acquire the right-of-way as a public road improvement. 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.

At the request of the Clover Hill Commissioner, the applicant has offered setbacks for any residential development from Route 288.

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this 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 part of this development. (Proffered Condition 4)

The Zoning Ordinance allows streets within townhouse developments to be privately maintained. Staff recommends that all of the main streets within this project be accepted into the State Highway System. Having these streets accepted into the State Highway System will ensure their long-term maintenance. The applicant has proffered that all streets which accommodate general traffic circulation will be designed and constructed to State (i.e., the Virginia Department of Transportation) standards and taken into the State System. (Proffered Condition 12)

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	600*	1.00
Population Increase	1,632.00	2.72
Number of New Students		
Elementary	139.80	0.23
Middle	78.00	0.13
High	101.40	0.17
TOTAL	319.20	0.53
Net Cost for Schools	$3,208,800	5,348
Net Cost for Parks	362,400	604
Net Cost for Libraries	209,400	349
Net Cost for Fire Stations	243,000	405
Average Net Cost for Roads	5,365,200	8,942
TOTAL NET COST	$9,388,800	$15,648

* Based on a proffered maximum of 600 dwelling units (Proffered Condition 17). The actual number of dwelling 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 proffer of $10,269 per dwelling unit would defray the cost of developing the age-restricted portion of the development, as it will have no increased impact on school facilities. Consistent with the Board of Supervisors' policy, and proffers accepted from other applicants, the applicant has offered cash and road improvements to assist in defraying the cost of this proposed zoning on such capital facilities.

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 Upper Swift Creek Plan which suggests the property is appropriate for regional mixed use uses. The Plan is currently being revised. The draft

Plan, as recommended by the Planning Department, suggests office/residential mixed use uses are appropriate for this area. The draft Plan also notes regional mixed use as appropriate within this quadrant of the intersection under certain circumstances.

Area Development Trends:

The property lies within the northwest quadrant of Hull Street Road and Route 288. Current uses adjacent to the project consist of retail uses to the south and west and single-family residential uses on a portion of the property to the west. Property to the north and to the east, across Route 288, remains vacant. It is anticipated that a mix of commercial, office and higher density residential uses will continue within this regional node with single-family residential anticipated to the north.

Street Connectivity:

An exception to the "Residential Subdivision Connectivity Policy" is requested so as to preclude any road connections to Red Chestnut Drive. In addition to promoting fire and emergency services safety, subdivision road connections provide interconnectivity between residential developments, thereby reducing congestion along collector and arterial roads and providing a convenient and safe access to neighboring properties.

The "Policy" allows the Board, through the Commission's recommendation, to waive the requirement for streets in new subdivisions to connect to adjacent public streets that are designed as local streets, residential collectors and thoroughfare streets. Staff must evaluate waivers based upon three (3) criteria: (1) there must be a sufficient number of other stub streets to adequately disperse traffic and not cause a concentrated use of any one (1) stub street; or (2) the connection to a particular stub will cause concentrated traffic at that location; (3) the projected traffic volume on any one (1) local street within an existing subdivision exceeds 1,500 vehicle trips per day.

Without additional design information relative to road layout, staff cannot determine if the criteria for granting the waivers can be met. Therefore, it is recommended that consideration of this waiver be evaluated during the plans review process when more detail is available.

Further, the applicant has agreed to provide a stub road to adjacent property to the north identified as Tax ID 733-681-0761 (Proffered Condition 7). This stub road is to be constructed to VDOT standards prior to recordation or site plan approval of more than 135 dwelling units.

Development Standards:

The property is proposed for a mix of residential uses, to include cluster, townhouse and multifamily, commercial and office uses, as well as buildings that accommodate a mix of residential and non-residential uses. The development will have a neotraditional design, incorporating sidewalks, street trees and open space. (Textual Statement I. A.)

The property is divided into three (3) development tracts as depicted on the Zoning Map prepared by Balzer and Associates last revised March 1, 2007. The Tracts' locations and sizes, including further divisions into Sub-tracts, may be modified so long as land use transitions and compatibility between different uses are addressed. Uses are to be located and developed as described in the Textual Statement (Attachment) and as provided in the proffered conditions. (Textual Statement I. B.)

The request property also lies within the 360 Corridor West Area Highway Corridor District. Unless specifically regulated by the Textual Statement, development of commercial and office uses, to include multifamily uses located above such commercial and office uses, must comply with the Highway Corridor District standards and the Emerging Growth Area requirements of the Zoning Ordinance (Textual Statement III.A.2.). Together, these standards address access, parking, landscaping, architectural treatment, setbacks, signs, buffers, pedestrian access, utilities and screening of dumpsters and loading areas. The purpose of the Highway Corridor District Standards is to recognize specified areas of the county as unique and to enhance patterns of development in those areas. The purpose of the Emerging Growth District Standards is to promote high quality, well-designed projects.

Lighting:

In keeping with the pedestrian oriented character of the proposed project the applicant has agreed to provide pedestrian scale lighting. (Proffered Condition 16)

Uses Permitted in all Tracts:

Passive and active recreational uses limited to facilities and uses that primarily serve the surrounding residential community would be permitted within all Tracts, except that Tract C is to be limited to only passive recreation. The Textual Statement provides for setbacks, buffers and other restrictions to minimize the impact of such recreational uses on adjoining properties designated on the Plan for residential development. (Textual Statement II. B)

Uses and Special Development Standards:

Tract A represents the majority of the property and fronts along Hull Street Road and a portion of Route 288. This Tract permits a mix of commercial and office uses, as well as townhouse and multifamily units, and commercial and office buildings which will accommodate multifamily residential uses on upper floors. Within Tract A, non-residential uses would be restricted to a limited number of uses permitted by right or with restrictions in the Community Business (C-3) District. Permitted and restricted uses in the Residential Townhouse (R-TH) District, multifamily and single-family residential (cluster) uses and recreational uses as previously noted, would also be allowed in Tract A (Textual Statement, II.A.). Development requirements for multifamily, townhouse and single-family uses in Tract A are noted in Textual Statement, III, A.2.b., c., and d.

Tract B is proposed for development for permitted and restricted uses in the Residential Townhouse (R-TH) District and single-family residential (cluster) lots (Textual Statement, III.B.1.). Development requirements for these uses are noted in Textual Statement, III.A.2.c. and d.

Tract C, the northern portion of the property, would be limited to passive recreation uses only. (Textual Statement, II.B.)

Commercial and Office Uses:

As previously noted, development of commercial and office uses, to include multifamily uses located above such commercial and office uses, must comply with the Highway Corridor District standards and the Emerging Growth Area requirements of the Zoning Ordinance, except there shall be no setback requirements. (Textual Statement, III.A.2. a)

Multifamily Uses:

Multifamily residential use is limited to a maximum density of twenty (20) dwelling units per gross acre. Except as stipulated in the proffered conditions, development requirements for such uses are noted in Textual Statement, III.A.2.b.

Townhouse Uses:

Given the potential for commercial or office uses adjacent to townhouse lots, the applicant has indicated any record plat for such townhouse lots shall note the potential for adjacent commercial or office use. The development requirements for townhouse uses are noted in Textual Statement, III.A.2.c.

Single-Family Residential Uses:

Single-family residential development is to be in a cluster style on lots as small as 2,700 square feet. The minimum gross floor area for cluster dwellings is 1,600 square feet. Development requirements for these dwellings and accessory structures are noted in Textual Statement, III.A.2.d. In addition, as with the townhouse development, any record plat for single-family residential lots shall note the potential for adjacent commercial or office use.

Architectural Treatment:

Currently, within the Route 360 Corridor West Area, the Ordinance requires a clearly identifiable architectural theme for a project that provides for building elements that break up large building masses with a pedestrian scale environment between parking areas and buildings. The Zoning Ordinance requires the architectural treatment of buildings must be compatible with buildings located within the same project or within the

same block or directly across any road, as determined by the Director of Planning. The applicant has offered to provide architectural compatibility within each Tract, but not necessarily within the project as a whole (Textual Statement II. I.). Compatibility may be achieved through the use of similar building massing, materials, scale, colors and other architectural features.

In addition, Textual Statement II. I., provides that a written and/or graphic description of the overall architectural treatment of buildings within Tracts A or B will be submitted to the Planning Commission for review and approval.

To minimize any adverse impact of buildings on adjacent residents in Nuttree Subdivision, the applicant has provided any buildings within 300 feet of the subdivision would be limited to a height of three (3) stories or thirty-five (35) feet, whichever is less. (Proffered Condition 15)

Residential Density:

This request would permit the development of up to 600 dwelling units (Proffered Condition 17). This could potentially yield a density of approximately 9.5 units per acre. Depending upon how much acreage is devoted to non-residential development, the per acre density of residential development would increase. As previously noted, the density of multifamily residential development is limited to no more than twenty (20) dwelling units per gross acre. The proposed residential uses comply with the Plan relative to density.

Parking and Driveways:

The Ordinance requires the provision of two (2) off-street parking spaces for each dwelling unit, except that age restricted multifamily dwellings require a minimum of 1.2 parking spaces for each unit. The applicant is requesting that any "housing for older persons", to include single family and townhouse, provide a minimum of 1.2 parking spaces for each unit. In addition, an exception is requested to permit on street parking to be credited towards this minimum requirement. (Textual Statement II.G.)

For commercial or office uses in Tract A, parking would typically be calculated at shopping center standards of 4.4 spaces for every 1000 gross square feet of uses. Given the urban character of this development, it would be appropriate to permit a reduction in the required spaces consistent with Ordinance requirements for Village Districts, or approximately 4.0 spaces for every 1000 gross square feet with a credit for on-street parking where permitted. The applicant is requesting that parking be provided at 3.4 spaces for every 1000 gross square feet of commercial and office uses in Tract A. (Textual Statement II.G.3)

With no data to substantiate reduction in parking requirements for both age-restricted single family and townhouse residential products and commercial or office development, staff cannot support exceptions to the parking standards of the Ordinance beyond those for Village Districts.

The applicant has proposed that alleys, where provided, would serve the rear or side portion of a lot. Standards and locations of alleys are noted in Item II.F. of the Textual Statement. Private driveways and alleys serving residential uses are to be hardscaped, with the exact treatment to be approved at plan review.

Garages:

The applicant has indicated the possibility of front-loaded garages within this development, and has provided such garages would be no closer to the street than the front facade of the dwelling unit (Textual Statement II.E.). This provision is consistent with the policy for front loaded garages.

Street Trees and Sidewalks:

Except along Routes 288 and 360, street trees are to be provided or retained along both sides of all public roads within the development. Additionally, sidewalks are to be provided along both sides of all public roads (Textual Statement II.C. and D.). These requirements are in keeping with the cluster standards.

Age Restriction:

Proffered Condition 14 provides for the option of limiting occupancy of some or all of the proposed dwelling units to "housing for older persons" as defined in the Virginia Fair Housing Law. While during the initial marketing of the project this restriction may be clear to prospective occupants, there is a risk that long-term, dwelling units may be sold or rented to individuals that do not meet this age-restriction. Given staff's inability to pro-actively enforce this condition prior to the purchase and occupancy of dwelling units, staff recommends that this proffer not be accepted.

Proffered Condition 3 requires any housing units designed for occupancy by seniors to be grouped together and identified on site plans or subdivision plats in an effort to accurately track the impacts on capital facilities and long term enforcement of the occupancy restrictions.

Recreational Facilities, Open Space and Focal Point:

Passive and active recreational uses limited to facilities and uses that primarily serve the surrounding residential community would be permitted (Textual Statement II.B.). Such uses include, but are not limited to, picnic areas, trails, sidewalks, ponds, swimming pools, outdoor courts, and clubhouses. Recreation areas within multifamily developments shall consist only of passive facilities in the form of walking trails (Textual Statement III.C.). The Textual Statement provides for setback and buffer restrictions, among other requirements, to minimize the impact of recreational uses on surrounding residential development.

The applicant has agreed to devote a minimum of twenty-five percent (25%) of the gross acreage of the development to open space (Proffered Condition 18.A). This equates to approximately 15.9 acres. Of this acreage, a minimum of two (2) acres is to be usable space to accommodate recreational and social gatherings for residents and employees and may include a clubhouse, which is to be completed prior to issuance of more than three hundred (300) residential certificates of occupancy. (Proffered Condition 18.A)

The applicant has offered a minimum of 0.75 acres of proposed open space to serve as a focal point for the project (Proffered Condition 18.C.). This area is to be developed with the first phase of residential development. Part of the focal point is to be hardscaped and such area shall provide amenities to accommodate and facilitate gatherings. Typically, a focal point is provided within each section of such developments. Staff would recommend the typical standards for focal points for this proposal.

Buffers and Screening:

Adjacent property to the north and northwest is zoned Agricultural (A) and designated on the Plan for residential or is zoned Residential (R-7) and is occupied by single-family residences in Nuttree Subdivision or remains vacant. The Ordinance requires a seventy-five (75) foot buffer adjacent to these properties. At the time of schematic or site plan review, the Planning Commission may modify this buffer under certain circumstances.

In keeping with the mixed-use nature of the development, the applicant proposes no buffers between uses within the development (Textual Statement, II.H.)

CONCLUSIONS

While the proposed zoning and land uses conform to the Upper Swift Creek Plan which suggests the property is appropriate for regional mixed-use uses, the application fails to address access concerns of the Fire Department relative to the provision of a second access for more than fifty (50) dwelling units.

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 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 these facilities, thereby insuring adequate service levels are maintained and protecting the health, safety and welfare of County citizens. The application fails to provide additional public road connection to the property thereby not addressing the health, safety and welfare concerns of the Fire Department.

The application does not address connectivity to Red Chestnut Drive per the Board's adopted "Residential Subdivision Connectivity Policy", as discussed herein. Evaluation of the Policy criteria for granting such relief necessitates design detail that can best be provided through the subdivision review process.

Given these considerations, approval of the rezoning (Request I) and denial of the waiver to street connectivity requirements (Request II) is recommended.

CASE HISTORY

Planning Commission Meeting (2/20/07):

At the request of the applicant, the Commission deferred this case to May 15, 2007.

Staff (2/22/07):

The applicant was advised in writing that any significant new or revised information should be submitted no later than March 12, 2007, for consideration at the Commission's May 15, 2007, public hearing. Also, the applicant was advised that a $250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (3/1/07):

Revised proffered conditions and Textual Statement were submitted.

Applicant (3/7/07):

The applicant paid the $250.00 deferral fee.

Applicant (4/11/07):

Revised proffered conditions were submitted

Applicant (4/27/07):

The applicant requested deferral.

Applicant (5/15/07):

Revised proffered conditions were submitted.

Planning Commission Meeting (5/15/07):

At the request of the applicant, the Commission deferred this case to July 17, 2007.

Staff (5/16/07):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than May 21, 2007, for consideration at the Commission's July 17, 2007, public hearing. Also, the applicant was advised that a $250.00 deferral fee must be paid prior to the Commission's public hearing.

Area Property Owners, Applicant, Staff and Clover Hill District Commissioner (5/16/07):

A meeting was held to discuss this case. Concerns were expressed relative to traffic, connectivity, road improvements and if there will be rental units.

Applicant (5/24/07):

Revised proffered conditions and Textual Statement were submitted.

Applicant (6/19/07):

Revised proffered conditions were submitted.

Applicant (6/27/07):

Revised proffers and Textual Statement were submitted and the $250.00 deferral fee was paid.

Planning Commission Meeting (7/17/07):

At the request of the applicant, the Commission deferred this case to August 21, 2007.

Staff (7/18/07):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than July 23, 2007, for consideration at the Commission's August 21, 2007, public hearing. Also, the applicant was advised that a $500.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (7/18/07 and 7/20/07):

Amended proffered conditions were submitted.

Applicant (8/8/07):

Amended proffered conditions and Textual Statement were submitted.

Applicant (8/17/07 and 8/20/07):

Amended proffers were submitted

Staff (8/21/07):

The deferral fee was paid.

Planning Commission Meeting (8/21/07):

The applicant did not accept the recommendation. There were several area property owners who spoke in support of the waiver to connectivity and one expressed concern about closing the access to Market Square Lane.

Mr. Gecker expressed concerns relative to the number of units on one public road access and the impact should the access be blocked.

Mr. Gulley indicated area access has been a continuing problem in this area. He noted an adjacent church is providing an emergency access and that long-term a second public road access would be provided to the north.

A motion was made by Mr. Gulley, seconded by Mr. Bass, to recommend approval of the rezoning and acceptance of the proffered conditions on pages 2 through 7.

AYES: Messrs. Gulley and Bass
NAYS: Messrs. Gecker and Litton
ABSTENTION: Mr. Wilson

Due to a lack of a majority vote, the case carried over the Commission's September 18, 2007, public hearing.

Applicant (9/18/07):

Revised proffered conditions were submitted.

Planning Commission Meeting (9/18/07):

On their own motion, the Commission deferred this case to October 16, 2007.

Staff (9/19/07):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than September 24, 2007, for consideration at the Commission's October 16, 2007, public hearing.

Staff (9/28/07):

To date, no new information has been submitted.

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TEXTUAL STATEMENT
CHEATHAM
CASE 05SN0239
February 8, 2005
Revised August 24, 2006
Revised September 6, 2006
Revised January 12, 2007
Revised March 1, 2007
Revised May 24, 2007
Revised June 27, 2007
Revised August 8, 2007

Rezone from A to C-3 Community Business for the uses permitted in C-3 with a Conditional Use to allow Residential Multifamily and Townhouse uses and a Conditional Use Planned Development ("CUPD") to permit Single family cluster homes and exceptions to ordinance standards as stated herein.

I. General Conditions

A. The development shall have a neotraditional or cluster design which includes sidewalks, street trees, and open space.

B. To accommodate the orderly development of the Property, the Tracts shall be located as generally depicted on the Zoning Map prepared by Balzer and Associates dated August 24, 2006 and last revised March 1, 2007, but their location and size, including further divisions into Sub-Tracts, may be modified so long as the parcels generally maintain their relationship with each other and any adjacent properties. A plan for any such Tract adjustment shall be submitted to the Planning Commission for review and approval. Such plan shall be subject to appeal in accordance with the provisions of the Zoning Ordinance for Site Plan appeals. Sub-Tract (a designated portion of a Tract) divisions may be created at the time of site plan or Tentative Subdivision Plan review and shall not require a separate review as a Tract adjustment provided there is no adjustment in the overall Tract boundary unless the Tract boundary has been approved for adjustment as stated herein.

C. Whenever a provision refers to, or requires a mixed use plan ("Mixed Use Plan") to be submitted for review and approval, such plan shall be, unless otherwise stated herein, approved by the Planning Commission, and such review shall be subject to appeal in accordance with the provisions of the Zoning Ordinance for Site Plan appeals.

D. Residential units shall be grouped together within a Tract or Sub-Tract. If there is a desire to mix the types of residential uses within a Tract or Sub-Tract, the mixing may be permitted if a Mixed Use Plan is submitted for review and approval. The Mixed Use Plan shall address the land use transitions and compatibility between the different uses within a Tract or Sub-Tract. Land use compatibility and transitions may include, but not necessarily be limited to, the exact location of uses, buffers and site design.

E. Prior to approval of a Site Plan or Tentative Subdivision Plan review, a Schematic Plan review shall be required and shall be subject to Zoning Ordinance Section 19-261**.**

II. Requirements and Exceptions for All Tracts

A. Except for driveways and street trees, if any of the following facilities are to be provided-they shall be identified on any approved schematic plan and on the record plat for any lot adjacent to such facilities.

B. Recreational Facilities.

1. Recreational facilities shall be permitted within all Tracts, except that Tract C shall be limited to only passive recreation**.** These uses shall be limited to facilities and uses that primarily serve the surrounding residential community including but not limited to passive recreation (i.e. picnic areas, trails, paths, sidewalks, ponds, open space, and vistas) and active facilities (i.e. swimming pools, tennis courts, basketball courts, volleyball courts, playgrounds, and clubhouses).

2. Outside public address systems or speakers shall not be used between the hours of 11:00 p.m. and 8:00 a.m. and shall only be used in conjunction with a pool.

3. With the exception of playground areas which accommodate swings, jungle gyms or similar such facilities, outdoor play fields, courts, swimming pools and similar active recreational facilities shall be located a minimum of 100 feet from any proposed single family, residential multifamily and townhouses or 200 feet from any existing single family residential lot line and a minimum of fifty (50) feet from any existing or proposed public road. Nothing herein shall prevent development of indoor facilities and/or parking within the 100 foot setback. Within the 100 foot and fifty (50) foot setbacks, a fifty (50) foot buffer shall be provided along the perimeter of all active recreational facilities except where adjacent to any existing or proposed public roads. These buffers shall conform to the requirements of the Zoning Ordinance for fifty (50) foot buffers. These buffers and setbacks may be modified by the Planning Commission at the time of plan review or at time of Schematic Plan review.

4. Any playground area (i.e., areas accommodating swings, jungle gyms or similar such facilities) shall be located a minimum of forty (40) feet from all property lines. A forty (40) foot buffer shall be provided along the perimeter of these recreational facilities except where adjacent to any existing or proposed public roads. These buffers shall conform to the requirements of the Zoning Ordinance for fifty (50) foot buffers. These setbacks and buffers may be modified by the Planning Commission at the time of plan review or at time of Schematic Plan review.

C. Street Trees. Street trees shall be planted or retained along both sides of all public roads within the development, with the exception of Route 288 and Route 360 frontage.

D. Sidewalks. Sidewalks and trails shall be provided that facilitate pedestrian access within the development. Generally, sidewalks shall be located on both sides of public roads**.**

E. Garages. Front loaded garages shall be located no closer to the street than the front façade of the dwelling unit.

F. Driveways and Alleys. All private driveways and alleys serving residential uses shall be hardscaped. The exact treatment shall be approved at the time of plan review.-

1. Alleys, where provided, will generally serve the rear or side portion of a lot.

2. When provided, alleys will be located within a minimum eighteen (18) foot wide private easement.

3. Alley pavement shall be a minimum of twelve (12) feet in width.

4. All or part of the alley easement may be provided on a lot.

5. Utility easements may be permitted in the alleys as allowed by Chesterfield County and private utility companies.

6. Alleys will be privately maintained by a property owners association.

G. Parking.

1. If on-street parking is provided, those spaces shall be counted towards the required number of parking spaces for all uses.

2. Dwelling units defined as "age restricted" housing as stated in Proffered Condition 14 shall provide parking based on 1.2 spaces per dwelling unit.

3. Commercial or office uses in Tract A shall provide parking based on 3.4 spaces per 1,000 square feet of gross floor area.

H. Buffers. In keeping with the mixed-use nature of the development, no buffers shall be required between various uses within the development.

I. Architectural Standards. In conjunction with any Tentative Subdivision/Site Plan approval for development, a written and/or graphic description of the planned overall architectural treatment of all buildings within either Tract shall be submitted to the Planning Commission for review and approval. Architectural treatment of buildings, including materials, color and style, shall be compatible within the Tract. Compatibility may be achieved through use of similar building massing, materials, scale, colors and other architectural features. All exposed portions of the foundation and exposed piers supporting front porches of each residential dwelling unit shall be faced with brick, stone veneer, decorative masonry or exterior insulation and finishing systems (EIFS) materials.

III. Requirements for Specific Tracts.

A. Tract A.

1. Uses. Uses within Tract A shall be limited to the following:

a) Those uses permitted in the Community Business (C-3) District limited to the following:

(1) Access to any land located in an agricultural, office, business or industrial district or access to any land used for agricultural, office or industrial purposes.
(2) Barber or beauty shop.
(3) Nursery schools and child or adult care centers and kindergartens.
(4) Offices.
(5) Shopping centers
(6) Massage clinics.
(7) Art schools, galleries or museums.
(8) Churches and/or Sunday schools.
(9) Libraries.
(10) Medical facilities or clinics.
(11) Medical and dental laboratories.
(12) Rest, convalescent or nursing homes and other group care facilities.
(13) Schools – music, dance and business.

a) The following Community Business (C-3) uses with restrictions as follows:

(1) Restaurants, not including fast food. Limited to two (2).

c) Residential Multifamily uses, to include such uses as may be located in space above the first story of any building designated for and intended to be occupied by those uses outlined in Textual Statement IV.A.1.a.and b.

d) Those uses permitted by right or with restrictions in the Residential Townhouse (RTH) District.

e) Residential Single Family. Lots having a minimum area of 2,700 square feet.

2. Requirements.

a) Development of commercial and office uses, to include Residential Multifamily located above the first story, shall conform to the requirements of the Emerging Growth Standards as defined in the Zoning Ordinance except as follows:

(1) Front yard. Minimum of zero (0) feet.

(2) Side yard. Minimum of zero (0) feet.

(3) Corner side yard. Minimum of zero (0) feet.

(4) Rear yard. Minimum of zero (0) feet.

b) Development of Residential Multifamily uses shall conform to the following:

(1) Parcel area and density. There shall be no minimum parcel size. The density shall not exceed twenty (20) dwelling units per gross acre.

(2) The setback requirement for interior driveways for residential buildings shall be zero (0) feet.

(3) The setback requirement for structures to parking spaces shall be zero (0).

(4) The minimum distance between buildings shall be zero (0) feet.

(5) Recreation area. Recreation area shall be provided in the form of passive recreation consisting of walking trails throughout the development.

(6) Dwelling units. There shall be no limit to the number of dwelling units permitted on one floor level of a building.

c) Development of Residential Townhouse uses shall conform to the following:

(1) Lot area and width. Each lot shall have an area not less than 1,520 square feet and a lot width of not less than nineteen (19) feet; except end lots in townhouse groups or rows having less than five (5) lots shall have a lot area of not less than 2,320 square feet and a lot width not less than twenty-nine (29) feet and end lots in townhouse groups or rows having five (5) or more lots shall have a lot area of not less than 2,400 square feet and a lot width of not less than thirty (30) feet.

(2) Percentage of lot coverage. All buildings, including accessory buildings, on any lot shall not cover more than seventy (70) percent of the lot's area. No accessory building on any lot except for a private garage shall cover more than 225 square feet.

(3) Setbacks. With the exception of setback requirements along Route 360 the following setbacks shall apply:

(a) Front yard. Minimum of twenty (20) feet in depth. Minimum setbacks shall be increased where necessary to obtain the required lot width at the front building line. Provided, however, where sidewalks and street trees are provided between the unit and right of way, setbacks may be reduced to zero (0) feet.

(b) Side yard. A side yard of not less than ten (10) feet in width shall be provided for each end residence in townhouse groups or rows.

(c) Corner side yard. Minimum of ten (10) feet.

(d) Rear yard. Minimum of ten (10) feet in depth.

(4) Driveways and parking areas. All roads, driveways and parking areas serving the general public shall have concrete curbs and gutters.

(5) Group or row design. The total number of lots within each attached group or row of townhouses shall be varied, but in no case exceed twelve (12).

(6) Accessory Structures. Setbacks for accessory structures shall maintain side and corner side yard setbacks as stated above. Setbacks for accessory structures shall be permitted half the required rear yard setback.

(7) Any record plat for lots adjacent to the proposed commercial uses shall note the potential for commercial use or office development adjacent to such lots.

d) Single Family Residential. Development shall conform to the following:

(1) Principal Structures.

(a) Lot area and width. Each lot shall have an area of not less than 2,700 square feet and a lot width of not less than thirty (30) feet.

(b) Percentage of lot coverage. All buildings, including accessory buildings, on any lot shall not cover more than seventy (70) percent of the lot's area.

(c) Front yard. Minimum of ten (10) feet in depth. Minimum setbacks shall be increased where necessary to obtain the required lot width at the front building line.

(d) Side yard. Two (2) side yards, each a minimum of three (3) feet in width.

(e) Corner side yard. Minimum of fifteen (15) feet.

(f) Rear yard. Minimum of twenty (20) feet in depth.

(g) Dwelling Size. The minimum gross floor area for each dwelling unit shall be 1,600 square feet.

(2) Accessory Structures. Setbacks for accessory structures shall conform to the setback requirements for such structures in the R-15 District except as follows:

(a) One (1) story accessory structures: The rear and side yard setbacks shall be half the required yards for principal structures defined above.

(b) More than one (1) story accessory structures: The rear and side yard setbacks shall be the required setbacks for principal structures defined above.

(3) Any record plat for lots adjacent to the proposed commercial uses shall note the potential for commercial use or office development adjacent to such lots.

B. Tract B

1. Uses.
   a) Those uses permitted by right or with restrictions in the Residential Townhouse (RTH) District.

   b) Residential Single Family. Lots having a minimum area of 2,700 square feet.

2. Requirements.

   a) Development of Residential Townhouse uses shall conform to the requirements as stated in IV.A.2.c.

b) Development of Residential Single Family lots shall conform to the requirements as stated in IV.A.2.d.

C. Tract C

1. Uses. Tract C is included for the purpose of calculating density for the residential multifamily development within Tract A.

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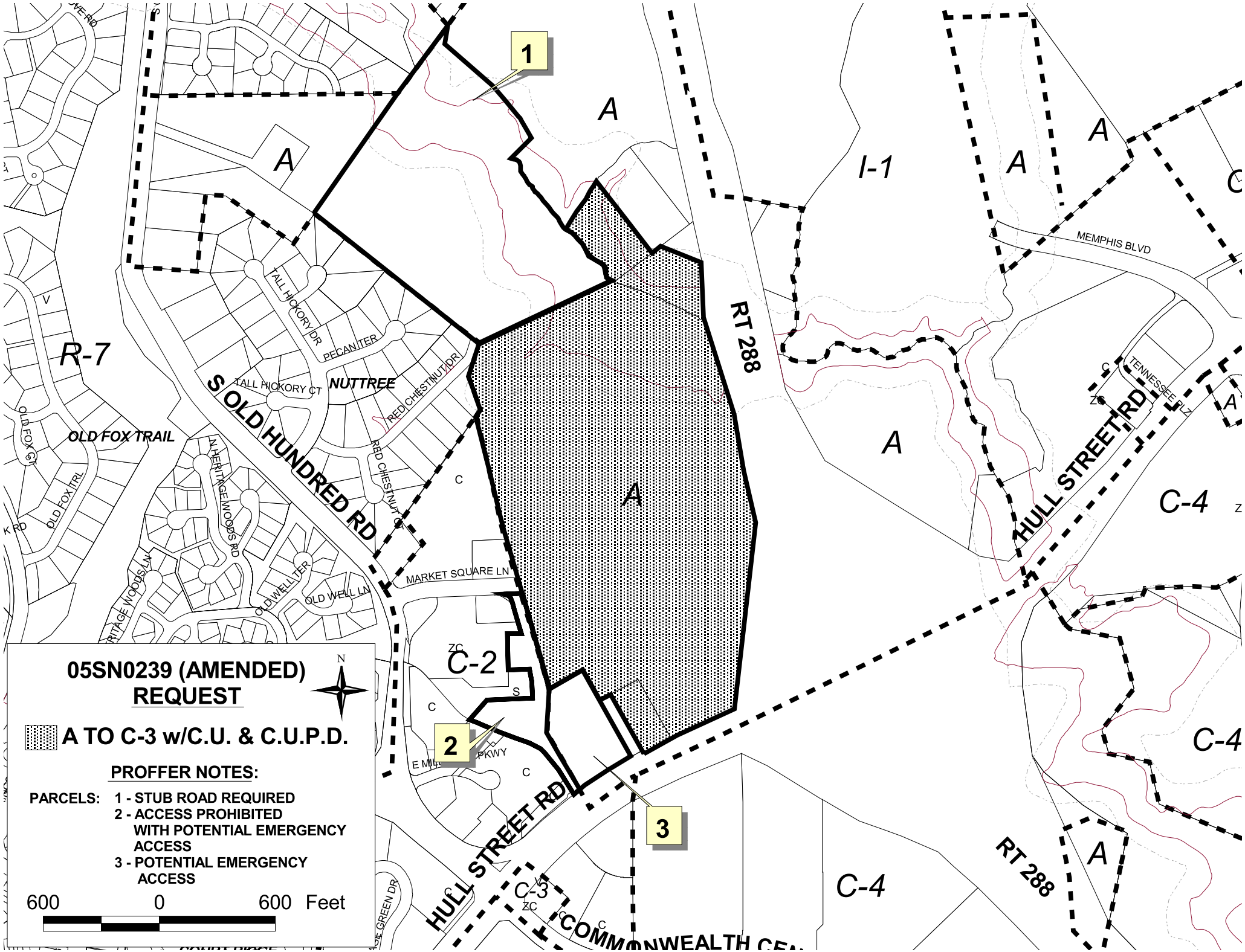
05SN0239 (AMENDED)
REQUEST
A TO C-3 w/C.U. & C.U.P.D.
PROFFER NOTES:
PARCELS: 1 - STUB ROAD REQUIRED
2 - ACCESS PROHIBITED WITH POTENTIAL EMERGENCY ACCESS
3 - POTENTIAL EMERGENCY ACCESS
600 0 600 Feet
N
1
2
3
A
I-1
R-7
C-2
C-3
C-4
RT 288
S OLD HUNDRED RD
HULL STREET RD
MEMPHIS BLVD
TENNESSEE PL
TALL HICKORY DR
PECAN TER
TALL HICKORY CT
NUTTREE
RED CHESTNUT DR
RED CHESTNUT CT
OLD FOX TRAIL
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N HERITAGE WOODS RD
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COMMONWEALTH CEN

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05SN0239-1

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Phone: 540/248-2222
FAX: 540/248-2221

CHEATHAM TRACT

ZONING MAP

CLOVER HILL DISTRICT
CHESTERFIELD COUNTY, VIRGINIA

DRAWN BY: KDK
DESIGNED BY: KDK
CHECKED BY: AMS
DATE: 8-24-06

REVISIONS:
9-6-06
1-11-07
3-1-07

SCALE: 1"=200'

SHEET NO.
1

JOB NO.
C0400268.00

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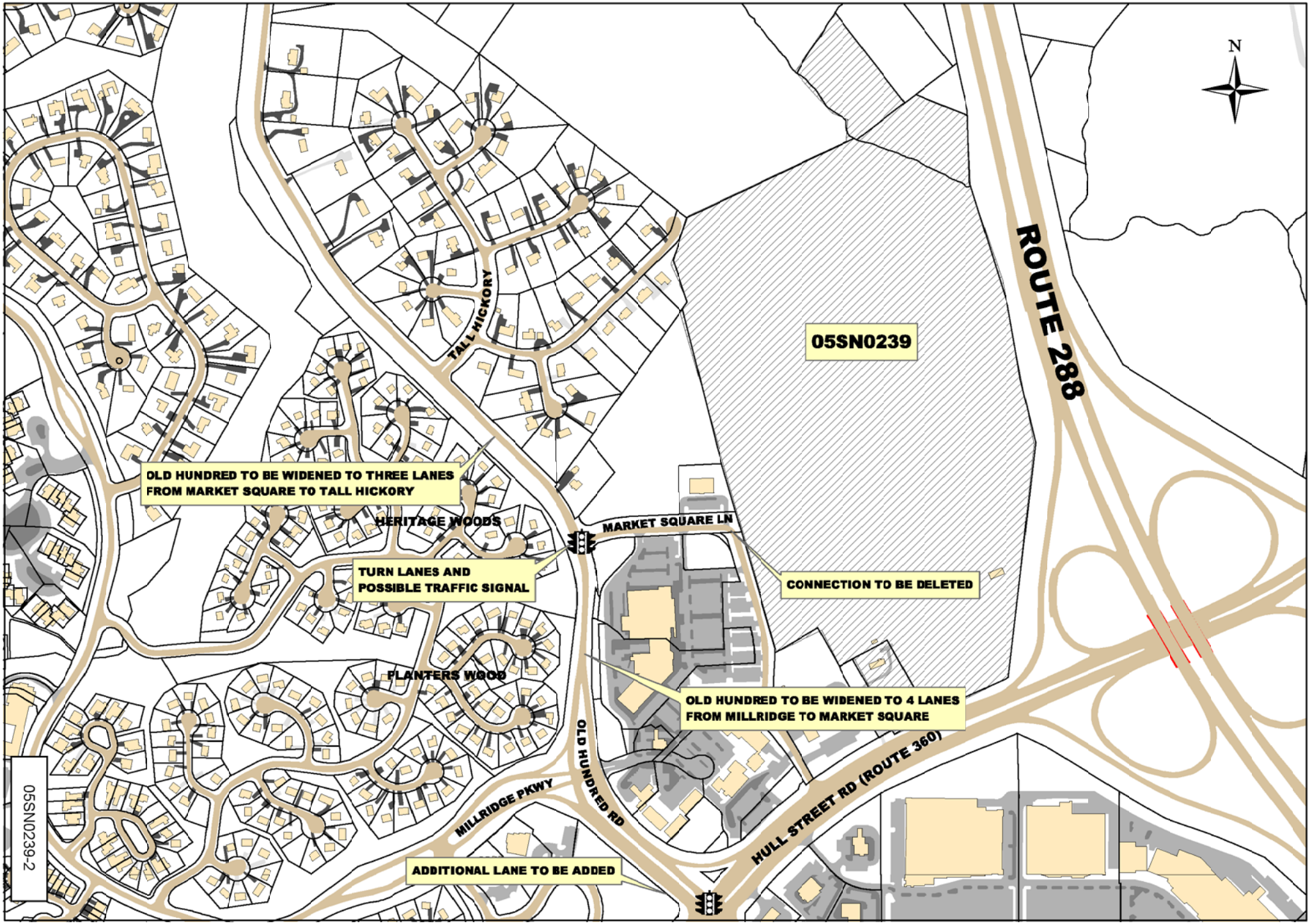

TRANSPORTATION IMPROVEMENTS - 05SN0239

07/03/07