April 18, 2006 CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06SN0227

Greenacres Limited Partnership

Matoaca Magisterial District
Matoaca Elementary, Matoaca Middle and Matoaca High School Attendance Zones
West line of River Road

REQUEST: Rezoning from Agricultural (A) to Residential (R-88).

PROPOSED LAND USE:

A single family residential subdivision with a minimum lot size of 65,340 square feet is planned.

RECOMMENDATION

Recommend approval for the following reasons:

A. The proposed zoning and land use comply with the Southern and Western Area Plan which suggests the property is appropriate for residential use of 1 to 5 acre lots suited for Residential (R-88) zoning.

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

(NOTES: A. CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER OTHER CONDITIONS.

B. IT SHOULD BE NOTED THAT REVISED AND ADDITIONAL PROFFERED CONDITIONS WERE NOT RECEIVED AT LEAST THIRTY (30) DAYS PRIOR TO THE COMMISSION'S PUBLIC HEARING PER THE "SUGGESTED PRACTICES AND PROCEDURES." THE "PROCEDURES" SUGGEST THAT THE CASE SHOULD BE DEFERRED IF REPRESENTATIVES FROM THE AFFECTED NEIGHBORHOOD(S), STAFF AND THE COMMISSIONERS HAVE NOT HAD SUFFICIENT TIME TO EVALUATE THE AMENDMENT. STAFF HAS HAD AN OPPORTUNITY TO THOROUGHLY REVIEW THE REVISED AND ADDITIONAL PROFFERED CONDITIONS.)

PROFFERED CONDITIONS

The Owner-Applicant in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for itself and its successors or assigns, proffers that the development of the properties known as Chesterfield County Tax IDs 755-616-0604-00000, (170.1 Acres Parcel) and 755-617-9274-00000 (1.3 Acre Parcel) (the "Property") will be developed as set forth below; however, in the event the request is denied or approved with conditions not agreed to by the Owner-Applicant, these proffers and conditions shall be immediately null and void and of no further force or effect.

1. Cash Proffer. The applicant, subdivider, or assignee(s) (the "Applicant") shall pay the following to the County of Chesterfield prior to the issuance of a building permit for each dwelling unit for infrastructure improvements within the service district for the property:

   a. $15,600 per dwelling unit if paid prior to July 1, 2006. At the time of payment, the $15,600 will be allocated pro-rata among the facility costs as follows: $5,331 for schools, $602 for parks and recreation, $348 for library facilities, $8,915 for roads, and $404 for fire stations; or

   b. The amount approved by the Board of Supervisors not to exceed $15,600 per dwelling unit prorated as set forth above and 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.

   c. If, upon the mutual agreement of the Transportation Department and the Applicant, the Applicant provides road improvements (the "Improvements"), then the transportation component in this Proffered Condition shall be reduced by an amount not to exceed the cost to construct the Improvements so long as the cost is of equal or greater value than that which would have been collected through the payment(s) of the road component of the cash

proffer as determined by the Transportation Department. Once the sum total amount of the cash proffer credit exceeds the cost of the Improvements, as determined by the Transportation Department, thereafter the Applicant shall commence paying the cash proffer as set forth in this Proffered Condition as adjusted for the credit. For the purposes of this proffer, the costs, as approved by the Transportation Department, shall include, but not be limited to, the cost of right-of-way acquisition, engineering costs, costs of relocating utilities and actual costs of construction (including labor, materials, and overhead) ("Work"). Before any Work is performed, the Applicant shall receive prior written approval by the Transportation Department for the Improvements and any credit amount.

d. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. (B&M)

(2) Timbering. Except for the 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 have been installed. (EE)

(3) In conjunction with recordation of the initial subdivision plat or within sixty (60) days from a written request by the Transportation Department, whichever occurs first, forty-five (45) feet of right-of-way on the south side of River Road, measured from the centerline of that part of River Road immediately adjacent to the property shall be dedicated, free and unrestricted, to Chesterfield County. (T)

(4) No direct vehicular access shall be provided from the property to River Road. (T)

(5) Utilities: To facilitate the future extension of the public water system, a ten (10) foot permanent water easement shall be dedicated to Chesterfield County extending parallel to River Road, adjacent to the ultimate Right-of-way. (U)

GENERAL INFORMATION

Location:

West line of River Road, south of Graves Road. Tax IDs 755-616-0604 and 755-617-9274 (Sheets 43 and 44).

Existing Zoning:

A

Size:

171.6 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - A; Single family residential or vacant
South, East and West - A and R-88 with CUPD; Single family residential or vacant

UTILITIES

Public Water System:

There is an existing sixteen (16) inch water line extending along the east side of River Road, opposite this site. This site is within the area designated by the Southern and Western Area Plan for R-88 zoning where the use of the public water system is required by County Code. Future plans call for the construction of a forty-two (42) inch water line along River Road as part of the Upper Swift Creek Transport System. To facilitate the future installation of this water line, the applicant has proffered to dedicate a ten (10) foot permanent water easement extending parallel to River Road, adjacent to the ultimate right-of-way (Proffered Condition 5). However, due to high pressures planned for the proposed forty-two (42) line, this development will be required to connect to the existing sixteen (16) inch water line.

Public Wastewater System:

The public wastewater system is not available to serve the request site. This site is within the area designated by the Southern and Western Plan of anticipated R-88 zoning where the use of private septic systems is permitted.

Private Septic System:

Use of private septic systems requires that a soil analysis be performed for each lot prior to lot recordation and that such analysis be submitted to the Health Department for review and approval.

ENVIRONMENTAL

Drainage and Erosion:

The subject property drains to the southwest across the adjacent property into Lake Chesdin. There are currently no known on- or off-site erosion problems and none are anticipated after

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

Water Quality:

A stream bisects the property. Prior to submitting a tentative subdivision plan, a perenniality determination must be approved by the Department of Environmental Engineering.

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. 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 seventy (70) dwelling units, this development will generate approximately sixteen (16) calls for fire and emergency medical service each year. The applicant has addressed the impact on fire and EMS.

Phillips Fire Station, Number 13 and Ettrick Matoaca 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.

The Zoning Ordinance requires a second road access prior to occupancy of more than fifty (50) units.

Schools:

Approximately thirty-seven (37) students will be generated by this development. Currently this site lies in the Matoaca Elementary School attendance zone: capacity - 474, enrollment – 525; Matoaca Middle School zone: capacity - 1,436, enrollment - 1,069; and Matoaca High School zone: capacity - 1,594, enrollment - 1,737. The enrollment is based on September 30, 2005, and the capacity is as of 2005-2006.

This request will have an impact on schools. There are currently three (3) trailers at Matoaca Elementary and three (3) at Matoaca Middle.

This case, combined with other tentative residential developments and zoning cases in the attendance zones, would continue to push these schools to capacity. This case could necessitate some form of relief in the future. The applicant has addressed the impact of the development on schools. (Proffered Condition 1)

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 request property would most likely affect the Ettrick-Matoaca Library. The Plan identifies a need for additional library space in the Ettrick-Matoaca area. The impact on library facilities has been addressed. (Proffered Condition 1)

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 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 also 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 Recreation facilities consistent with the Board of Supervisors' policy. (Proffered Condition 1)

Transportation:

The property (171.6 acres) is currently zoned Agricultural (A), and the developer is requesting rezoning to Residential (R-88). Based on single family trip rates, development could generate approximately 750 average daily trips. These vehicles are anticipated to access through adjacent property and be distributed along River Road, which had 2005 traffic counts of 2,314 vehicles per day (VPD) north of the Graves Road intersection and 2,198 VPD south of the Graves Road intersection.

The Thoroughfare Plan identifies River Road as a major arterial with a recommended right of way width of ninety (90) feet. The developer has proffered to dedicate forty-five (45) feet of right of way, measured from the centerline of River Road, in accordance with that Plan. (Proffered Condition 3)

Access to major arterials, such as River Road, should be controlled. The developer has proffered no direct vehicular access will be provided from the property to River Road (Proffered Condition 4). The adjacent 1,290 acres were recently rezoned (Grayland Development, Case 05SN0284) to Residential (R-88) with Conditional Use Planned

Development to permit development of a mixed-use project; including residential, office and retail uses. The applicant intends to access River Road through that adjacent proposed development.

The traffic impact of this development must be addressed. Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. River Road will be directly impacted by development of this property. Sections of River Road have nineteen (19) to twenty-one (21) foot wide pavement with one (1) foot wide shoulders. The capacity of River Road is acceptable (Level of Service C) for the volume of traffic it currently carries (2,314 and 2,198 VPD).

The developer has proffered to provide contributions, in an amount consistent with the Board of Supervisors' Cash Proffer Policy, for area road improvements (Proffered Condition 1). Proffered Condition 1 would also allow, upon mutual agreement of the Transportation Department and the developer, the developer to provide road improvements equal to the cost of such payment(s). This option will be considered at time of tentative subdivision plat review. (Proffered Condition 1)

As development continues in this part of the county, traffic volumes on area roads will substantially increase. Additional funds will need to be identified to cover the cost of the improvements needed to accommodate the traffic increases. No road improvement projects in this part of the county are included in the Six-Year Improvement Plan.

At time of tentative subdivision review, specific recommendations will be provided regarding the internal street network and providing stub road rights-of-way to adjacent properties.

Fiscal Impacts on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	70*	1.00
Population Increase	190.40	2.72
Number of New Students		
Elementary	16.31	0.23
Middle	9.10	0.13
High	11.83	0.17
TOTAL	37.24	0.53
Net Cost for Schools	374,360	5,348
Net Cost for Parks	42,280	604
Net Cost for Libraries	24,430	349
Net Cost for Fire Stations	28,350	405
Average Net Cost for Roads	625,940	8,942
TOTAL NET COST	$1,095,360	$15,648

* Based on an average actual yield of 0.41 lots per acre. The actual number of lots 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. Consistent with the Board of Supervisors' policy, and proffers accepted from other applicants, the applicant has offered cash to assist in defraying the cost of this proposed zoning on such capital facilities (Proffered Condition 1). In addition to addressing the impact on schools, parks, libraries, and fire stations, the proffered conditions provide the county with the option to accept road cash proffer payments on a per dwelling unit basis prior to the release of building permits or allow the applicant to provide road improvements in lieu of the road cash proffer payment or in conjunction with a reduced road cash proffer payment.

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 Southern and Western Area Plan which suggests the property is appropriate for residential use of 1 to 5 acre lots, suited for Residential (R-88) zoning. While R-88 zoning allows development of lots with a minimum area of 1.5 acres where public water and individual septic systems will be utilized to serve the development, this lot reduction is only permitted if provisions are made to provide open space in a recorded easement under the Virginia Land Use Assessment Law. Residential (R-88) zoning is recommended because provisions are incorporated in the district to preserve and enhance forested views and rural character within the southern and western areas of the County.

Area Development Trends:

In February, 2006, the Board of Supervisors approved rezoning of 1290 acres surrounding the southern most portion of the request property to Residential (R-88) with Conditional Use Planned Development to permit up to 575 single family residential dwelling units on lots with a minimum area of one (1) acre, along with commercial uses, residential stock farm use, agricultural and associated business uses and supporting community recreational uses. The remainder of the surrounding area is characterized primarily by Agricultural (A) zoning with scattered single family residential development on large parcels. There are several older subdivisions in the area zoned Residential (R-15) and Residential (R-25), the zoning for which pre-date the adoption of the Plan. Chesdin Landing Subdivision which is zoned R-88 is located in the vicinity of the request property. It is anticipated that larger-lot residential development will continue in the area on properties zoned Residential (R-88) as recommended by the Plan.

Site Design:

As indicated, direct access to River Road is prohibited. Therefore, access to this development will be provided through adjacent development. As already noted, two (2) public road accesses must be provided for more than fifty (50) lots.

Density and Lot Sizes:

Residential development is proposed in compliance with the Residential (R-88) District on lots utilizing public water and individual septic systems. The Residential (R-88) District requires that each lot contain a minimum of 88,000 square feet, except the minimum area for lots which do not front on a major arterial may be reduced to 65,340 square feet when either public water or public sewer are provided. Lot reduction is only permitted with the provision of open space preservation intended to protect and enhance environmental and visual amenities such as the forested views and/or rural character along the roadways of the southern and western areas of the County as recommended by the Plan. This reduction in lot

size is only permitted where provisions are made to provide land area meeting the standards for classification of real estate as devoted to open space use under the Virginia Land Use Assessment Law and the land area must be subject to a recorded perpetual easement held by the County.

The Residential (R-88) District standards provide a calculation to derive the number of reduced-size lots that would be permitted. This calculation permits 0.5 units per acre for net developable acreage (excluding land areas constituting roads, limits of the base flood areas and resource protection areas), and includes a bonus provision, or additional lots, for land area permanently preserved as open space.

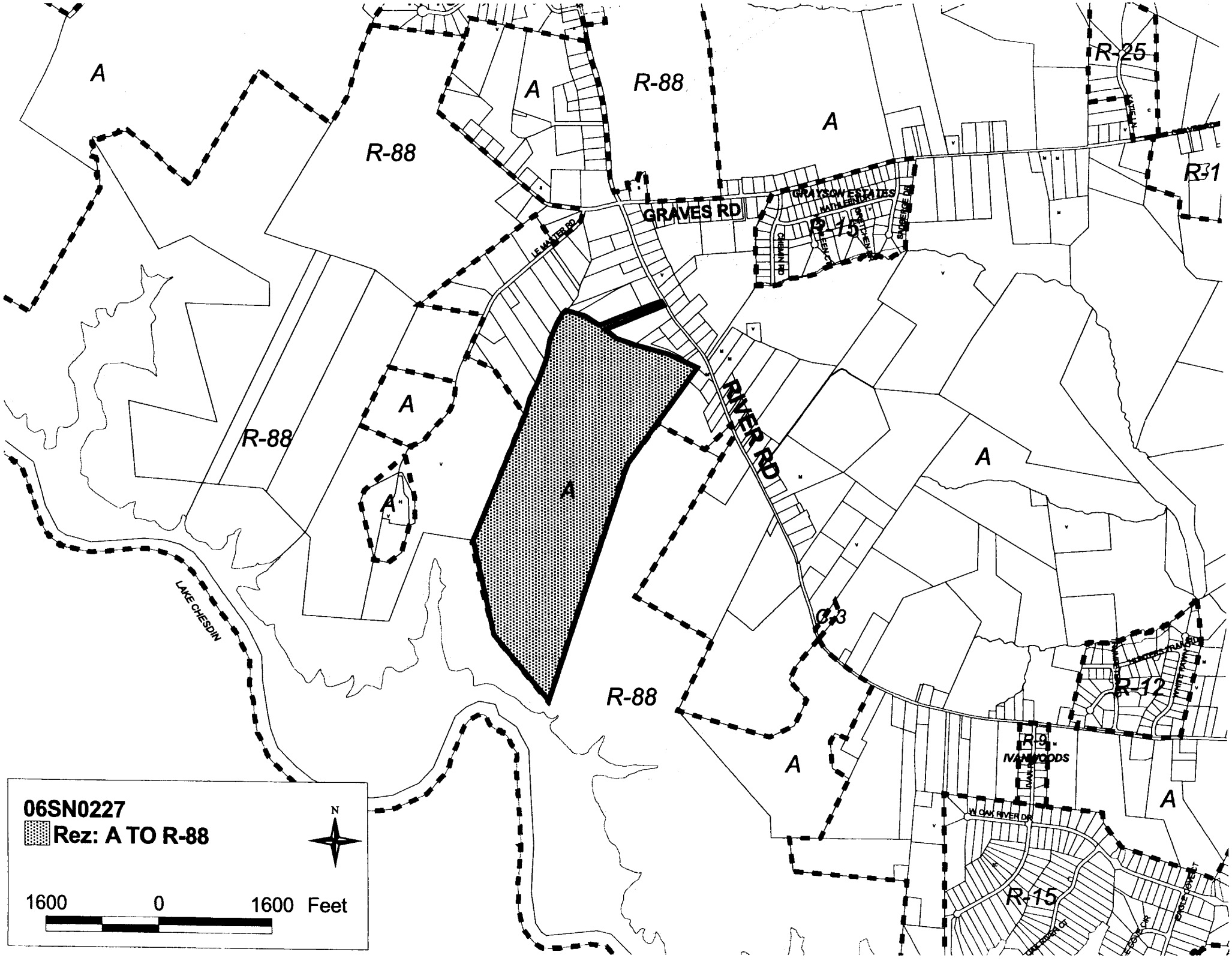
The subdivision layout and design, including the minimum lot areas and any open space/bonus lot calculations, are reviewed during the subdivision process.

CONCLUSIONS

The proposed rezoning and land use comply with the Southern and Western Area Plan which suggests the property is appropriate for residential use of 1 to 5 acre lots suited for Residential (R-88) zoning. Residential development is proposed in compliance with the Residential (R-88) District on lots utilizing public water and individual septic systems. The Residential (R-88) District standards require a development design incorporating permanent preservation of open space thereby preserving or enhancing the rural character as recommended by the Plan.

The proffered conditions adequately mitigate the impact of this development on capital facilities, as outlined in the Zoning Ordinance and the Comprehensive Plan. Specifically, the need for schools, parks, libraries, fire stations and transportation facilities is identified in the County's adopted Public Facilities Plan, the Capital Improvement Program and the Thoroughfare Plan and the impact of this development is discussed herein. The proffered conditions adequately mitigate the impact on these capital facilities and thereby assure that adequate service levels are maintained as necessary to protect the health, safety and welfare of County citizens.

Given these considerations, approval of this request is recommended.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