

INTRODUCED: March 24, 2014

AN ORDINANCE No. 2014-74-69

As Amended

To conditionally rezone the property known as 5107 Kenmare Loop from the R-2 Single-Family Residential District to the R-5C Single-Family Residential District (Conditional), upon certain proffered conditions.

Patron – President Samuels (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 28 2014 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the [~~site plan~~] survey entitled [~~“Adams Park Conceptual Layout,”~~] “Adams Park Subdivision,” prepared by [~~Cite Design~~] AES Consulting Engineers, and dated [~~September 25~~] March 18, 2013, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 5107 Kenmare Loop, with Tax Parcel No. C008-1265/004 as shown in the 2014 records of the City Assessor, is excluded from the R-2 Single-Family Residential District and shall no longer be subject to the provisions of sections 114-404.1 through 114-404.7 of the Code of the City of Richmond (2004), as amended, and that the same is included in the R-5 Single-Family Residential District and shall

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 12 2014 REJECTED: _____ STRICKEN: _____

be subject to the provisions of sections 114-410.1 through 114-410.7 and all other applicable provisions of Chapter 114 of the Code of the City of Richmond (2004), as amended.

§ 2. That this rezoning shall be conditioned upon the compliance by the owner or owners with all of the proffered conditions entitled “Proposed Proffers,” dated March 18, 2013, and last revised [~~September 26, 2013~~] April 22, 2014, a copy of which is attached to, incorporated into, and made a part of this ordinance. These conditions, having been proffered by the owner or owners and accepted by the City, shall continue in full force and effect until a subsequent amendment to the City’s zoning ordinance changes the zoning of the area rezoned by this ordinance and specifically repeals such conditions.

§ 3. This ordinance shall be in force and effect upon adoption.



Richmond City Council


The Voice of the People

Richmond, Virginia


Office of the Council Chief of Staff

Ordinance/Resolution Request

TO Allen Jackson, Richmond City Attorney
Richmond Office of the City Attorney

THROUGH Lou Ali 
Council Chief of Staff

FROM William E. Echelberger, Jr, Council Budget Analyst

COPY Mr. Charles Samuels, Council President
Haskell Brown, Deputy City Attorney
Vincent Jones, Deputy Chief of Staff 
Marianne Pitts, 2nd District Council Liaison

DATE March 11, 2014

PAGE/s 1 of 2

TITLE Rezone the Property Known as 5107 Kenmare Loop

RECEIVED
MAR 12 2014
OFFICE OF CITY ATTORNEY

This is a request for the drafting of an **Ordinance** **Resolution**

REQUESTING COUNCILMEMBER/PATRON

Mr. Charles Samuels, By Request

SUGGESTED STANDING COMMITTEE

Land Use

ORDINANCE/RESOLUTION SUMMARY

The Patron requests an ordinance to conditionally rezone the property known as 5107 Kenmare Loop from R-2 (Single-Family Residential) zoning district to R-5C (Single-Family Residential Conditional) zoning district upon certain proffered conditions. The attachments provide additional detail of the proposed development, including a conceptual site plan.

BACKGROUND

The property is an unimproved parcel of 34.8 acres in the Adams Park subdivision currently zoned R-2. This zoning designation allows for 67 lots at the required minimum lot size of 15,000 square feet and a minimum lot width of 90 feet. The requested rezoning to R-5C will allow the development of the property with up to 80 lots, one community center lot, and approximately 16.2 acres remaining in open space. The minimum lot size for the R-5C category is 6,000 square feet with 50 feet of road frontage.

The property is located in a Housing Opportunity Area that recommends access via Iron Bridge Road and significant open space reservation.

An additional twenty-five acres of the property is located in Chesterfield County and is not included in the zoning request to the City.

FISCAL IMPACT STATEMENT

Fiscal Impact Yes No

Budget Amendment Required Yes No

Estimated Cost or Revenue Impact \$ 4,600

Fiscal Summary

Costs to the City will be limited to the time for processing the request; preparation of the draft ordinance; and publishing, mailing and posting of public notices. These costs are within existing budgetary amounts, Revenues will result from the \$4,600 application fee.

Attachment/s Yes No

Richmond City Council Ordinance/Resolution Request Form/updated/ 10.5.2012 /rs

Proposed Proffers

March 18, 2013, as revised September 26, 2013

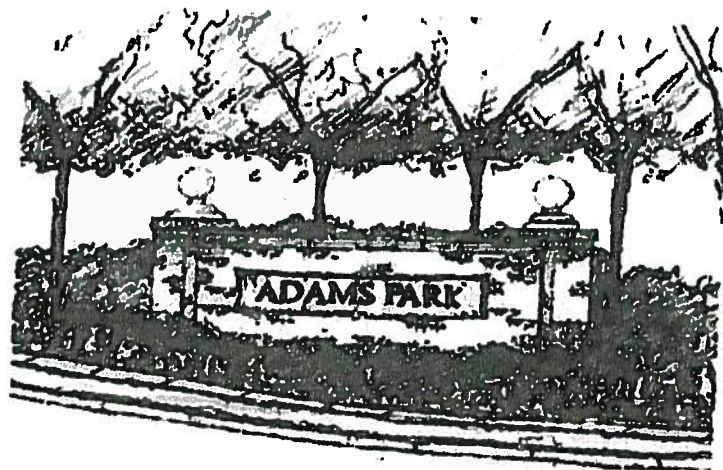
5107 Kenmare Loop, Richmond, Virginia
Sections 3 and 4 of the Adam's Park Subdivision
Map Reference Number: C008-1265/004

1. **Maximum Density:** The maximum number of building lots on the property shall not exceed eighty (80) single-family dwelling lots and one (1) lot for a community center and tot lot.
2. **Home Quality Guarantees:**
 - a. **Minimum Finished Floor Area:** The minimum finished floor area for all dwellings shall be 1700 sq. ft., except up to ten dwellings may be between 1500 and 1699 sq. ft.
 - b. **Exterior Materials:** The exterior of all dwellings shall be constructed of brick, brick veneer, EFIS, fiber cement siding, vinyl siding (0.044" or greater thickness), stone, synthetic stone, or similar masonry material. Fifty (50) percent of the dwellings shall have a premium front. A premium front shall be defined as a front elevation that is clad with a minimum of twenty five (25) percent premium material (brick, brick veneer, stone, synthetic stone, EFIS, or similar premium material) above the foundation.
 - c. **Porches:** A minimum of twenty five (25) percent of the dwellings shall be constructed with a covered front porch that is at least four (4) feet deep and having a minimum area of twenty-five (25) square feet.
 - d. **Foundations:** The exposed exterior portion of all dwelling foundations shall be brick or similar masonry material. Masonry material at the foundation shall not count toward the twenty-five (25) percent premium material required for a premium front in 2.(b.) above.
 - e. **Garages:** A minimum of seventy-five (75) percent of the dwellings shall be constructed with garage with minimum dimensions of fourteen (14) feet by eighteen (18) feet.
 - f. The property owner/builder shall provide a listing of floor area, exterior materials, porches, and garages for all dwellings approved in the development with the building permit and upon the request of the Department of Planning and Development Review in order to demonstrate compliance with the above.
3. **Home Landscaping Guarantees:** All homes shall be landscaped. A minimum of ten (10) shrubs and/or trees shall be included in the landscaping. These shrubs and/or trees shall include a minimum of three (3) different species. Shrubs shall be a minimum one (1) gallon size at installation. Of the ten (10) shrubs and/or trees, a minimum of two (2) deciduous trees having a caliper of not less than one (1) inch at the time of installation measured six inches above the ground shall be provided in the front yard within five (5) feet of the right-of-way. A front yard sod and/or irrigation option shall be offered to prospective home purchasers. An as-built survey, depicting the location of required landscaping shall be provided to the Department of Planning and Development Review by the property owner/builder prior to issuance of a certificate of occupancy.
4. **Open Space and Site Plan Guarantees:** A minimum of 16.2 acres of the remaining Adams Park property located in the City of Richmond shall be kept as open space and deeded to the Adams Park Homeowners Association at no cost. Each existing home, as of the date of this ordinance, that abuts the new section shall be buffered with a minimum of 30 feet of open space that shall be deeded to the homeowner's association. The open space shall be left in its natural state, except for (1) the community center, tot lot or other community facilities and (2) any clearing necessary for utility lines or drainage

facilities approved by the City. The Property shall be developed in a manner generally consistent with the conceptual layout plan entitled "Adams Park Conceptual Layout", dated September 25, 2013 prepared by citedesign. The conceptual layout plan is proffered to demonstrate that proffered conditions can be met and the design intent. It is conceptual in nature and the final design may vary in detail as to the exact configuration and location of lots and roads and may be adjusted for engineering reasons or as required by any governmental authority or as otherwise approved by the Planning Commission at the time of subdivision review.

5. **Lot Size and Yard Guarantees:**
 - a. Lot Area: The average of the lot size shall be 7300 sq. ft. or greater (6,000 sq. ft. minimum).
 - b. Lot Width: The average lot width shall be 60 feet or greater (50 foot minimum). No more than three (3) 50 foot wide lots may be developed in a series, except for lots fronting on cul-de-sacs.
 - c. Side Yard Setbacks: The side lot setback shall be:
 - i. Five (5) feet for fifty (50) foot lots (lots 50 up to 60 feet in width)
 - ii. Six (6) feet for sixty (60) foot lots (lots 60 up to 70 feet in width)
 - iii. Seven (7) feet for seventy (70) foot lots (lots 70 feet and greater in width)
 - d. Cul-de-sac Front Yard Setbacks: Cul-de-sac lots shall have a front yard setback greater than the district minimum which shall be shown on the final plat and which shall be at the point where the lot is at least 60 feet wide, measured horizontally between side lines. This lot width shall be used for determining compliance with Section 5b.
6. **Driveway Guarantees:** All driveways shall be constructed of exposed aggregate, concrete, brick, stone, or pre-cast pavers. Pavers may be of a permeable or porous design. An as-built survey, specifying the driveway material shall be provided to the Department of Planning and Development Review by the property owner/builder prior to issuance of a certificate of occupancy.
7. **Post Lamp and Mail Box Guarantees:** **Post Lamp and Mail Box Guarantees:** Street lights and mail boxes shall be substantially the same as those depicted on the attached product specification sheets dated June 25, 2013, and shall be installed within five feet of the right-of-way line to illuminate the street.
8. **Underground Utilities Guarantees:** All utilities except for junction boxes, meters, transformers or those required to be above ground for technical or environmental reasons shall be installed underground.
9. **Amenity/Facility Guarantees**
 - a. Community Building: The community building shall be a one story structure with a minimum of 1,400 square feet of floor area. It shall include a small kitchen with stove and refrigerator, two bathrooms, air conditioning and a parking lot with ten (10) to fifteen (15) spaces. The details of the design shall be coordinated with the Architectural Review Committee (ARC) for the Adams Park Homeowners Association (APHA). The community building shall be turned over to the APHA at no cost to the APHA and free from debt.
 - b. Tot Lot: A modest tot lot with water fountain and lights shall be provided by the developer. The details of the design shall be coordinated with the ARC for the APHA. The community Tot Lot shall be turned over to the APHA at no cost to the APHA and free from debt.
 - c. Front Entrance Feature: An entrance feature shall be provided within the right-of-way at the intersection of Kenmare Loop and Ironbridge Road subject to receiving any required approvals from the City. The front entrance feature shall include (see sketch): A curved brick wall eighteen (18) feet long from the center of the column to the center of the other column. The columns will be at least six (6) feet from the ground to the bottom of the ball top. The cast stone letters will be one (1) foot tall. The front of the feature will be planted with hardy, low growing plants at least forty (40) per side. The top of the walls shall be cast stone to match the balls.


There shall be matching features on each side of the entrance. The details of the design shall be coordinated with the ARC for the APHA. The front entrance feature shall be turned over to the APHA at no cost to the APHA and free from debt.



- d. **Rear Entrance Feature:** One column identical to the current columns at the front of the community shall be provided at the rear entrance to the community. The rear entrance feature shall be turned over to the APHA at no cost to the APHA and free from debt.

10. Covenants: At a minimum, prior to or concurrent with the recordation of the first subdivision plat, the following restrictive covenants shall be recorded for the development to ensure the enforcement of proffers for each dwelling after the issuance of a certificate of occupancy. In addition, the declaration shall address responsibility of maintenance of buffers, open space, and the community building and grounds.

- a. **Exterior Materials:** The exterior of all dwellings shall be constructed of, brick, brick veneer, EFIS, fiber cement siding, vinyl siding (0.044" or greater thickness), stone, synthetic stone, or similar masonry material.
- b. **Foundations:** The exposed exterior portion of all dwelling foundations shall be brick or similar masonry material.
- c. **Home Landscaping:** All homes shall be landscaped. A minimum of ten (10) shrubs and/or trees shall be included in the landscaping. These shrubs and/or trees shall include a minimum of three (3) different species. Of the ten (10) shrubs and/or trees, a minimum of two (2) deciduous trees having a caliper of not less than one (1) inch at the time of installation measured six inches above the ground shall be provided in the front yard within five (5) feet of the right-of-way.
- d. **Driveways:** All driveways shall be constructed of exposed aggregate, concrete, brick, stone, or pre-cast pavers. Pavers may be of a permeable or porous design.
- e. **Post Lamp and Mail Boxes:** Street lights and mail boxes shall be substantially the same as those depicted on the attached product specification sheets dated June 25, 2013, and shall be installed within five feet of the right-of-way line to illuminate the street.
- f. **Garages:** Garage shall have minimum dimensions of fourteen (14) feet by eighteen (18) feet.


Signature (Owner) *Green Associates, LLC*

Product Specifications

Residential grade classic turn of the century lighting



Brand:	<u>Essex & Excel Yard Lights</u>
Stock Number:	5961 - 11' overall height
Base Diameter:	9 - 13/16"
Height:	11'
Pole Finish:	powder coat
Mount Style:	Ground Burial
Luminair Dims:	14" Diameter x 24" Height
Post Material:	4" extruded aluminum .125 wall thickness
Globe Material:	Standard: Clear Lexan Polycarbonate
Lighting:	Standard: Incandescent
Optional:	(HID) HPS - High pressure sodium, (MV) Mercury Vapor, or (MH) Metal Halide

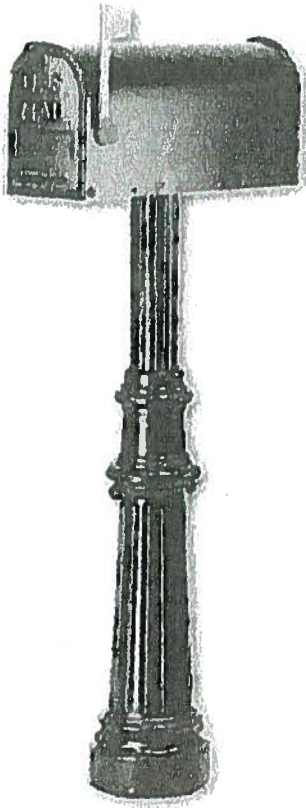
Installation Instructions

DIG A HOLE APPROXIMATELY 12" - 18" DEEP BY 6" IN DIAMETER (OR AS DEEP AS YOUR FROST LINE) PLACE THE TUBULAR POST IN THE MIDDLE OF THE HOLE WITH THE ELECTRICAL CONNECTIONS GOING UP THE CENTER OF THE POST TO CONNECT TO THE LANTERN AND FILL THE HOLE WITH CEMENT. AFTER THE CEMENT HAS SET USUALLY 24 HOURS PLACE THE BASE OVER THE POST, CONNECT LUMINAIR .

Additional Information

Mel Northey lights run on standard household current of 120v, unless otherwise specified

Product Specifications



Standard Mail Box

Brand:	<u>Standard</u>
Stock Number:	5518A
Base Diameter:	7"
Height:	48"
Pole Finish:	Powder Coat
Mail Box Dimensions:	O.D. 7" wide x 19" long x 9" high
Mail Box Material:	Steel
Colors:	Black or White
Mount Style:	Ground Burial

Installation Instructions

DIG A HOLE APPROXIMATELY 12 INCHES DEEP BY 5 INCHES IN DIAMETER. TAKE THE PIECE OF TUBULAR AND PLACE IN MIDDLE OF HOLE AND SURROUND WITH READY MIX CEMENT, LET IT SET. AFTER CEMENT SETS, BASE IS READY TO BE BOLTED AROUND THE PIECE OF TUBULAR AND BRACKET & MAILBOX ATTACHED TO POST.

Additional Information

2 or 3 inch Cast Brass numbers optional at additional charge. Installed onto side of mailbox. Parts list available upon request.



Application for **REZONING/CONDITIONAL REZONING**

Department of Planning and Development Review
Land Use Administration Division
900 E. Broad Street, Room 511
Richmond, Virginia 23219
(804) 646-6304
<http://www.richmondgov.com/>

8046
8046

Project Name/Location

Project Name: Adams Park Date: 03/18/2013

Property Address: 5107 KENMARE LOOP Tax Map #: C0081265004

Fee: \$3000 Total area of affected site in acres: 18.2
(See page 3 for fee schedule, please make check payable to the "City of Richmond")

Zoning

Current Zoning: R-2

Existing Use: Forest

Is this property subject to any previous land use cases?
 Yes No

If Yes, please list the Ordinance Number:

Proposed Zoning/Conditional Zoning

(Please include a detailed description of the proposed use and proffers in the required applicant's report)

See attached narrative.

Applicant/Contact Person: Mark Baker

Company: Baker Development Resources, LLC

Mailing Address: 1718 East Cary Street

City: Richmond State: VA Zip Code: 23223

Telephone: (804) 874-6275 Fax: ()

Email: markbaker@bakerdevelopmentres
markbaker@bakerdevelopmentresources.com

Property Owner: Avon Associates, LLC

If Business Entity, name and title of authorized signee: Clement Tingley, Manager

Mailing Address: 525 Grove Avenue

City: Charlottesville State: VA Zip Code: 22902

Telephone: (804) 216 9200 Fax: ()

Email: kimt@easylivinghomes.com

Property Owner Signature: *Clement Tingley Manager*

(The names, addresses, telephone numbers and signatures of all owners of the property are required. Please attach additional sheets as needed. If a legal representative signs for a property owner, please attach an executed power of attorney. Faxed or photocopied signatures will not be accepted.)

APPLICANT'S REPORT

March 18, 2013

Revised September 26, 2013

Conditional Rezoning Request

5107 Kenmare Loop, Richmond, Virginia

Sections 3 and 4 of the Adam's Park Subdivision

Map Reference Number: C008-1265/004

Submitted to: City of Richmond
Department of Planning and Development Review
Land Use Administration
900 East Broad Street, Suite 511
Richmond, Virginia 23219

Submitted by: Mr. Clement "Kim" Tingley, President
Avon Associates, LLC.
525 Grove Avenue
Charlottesville, VA 22902

Introduction

The Applicant requests a conditional rezoning to R-5 Single-Family Residential to authorize the development of the subject property with up to 80 single-family detached dwellings within the Adam's Park subdivision. The proposed development will be a high quality, market-rate development designed to be consistent with the character of the existing dwellings in Adam's Park, while providing additional site amenities and realizing the Master Plan's goal of allowing a significant portion of the site to remain in an undisturbed natural state.

Based on the information presented herein, the requested conditional rezoning is in the best interests of the City of Richmond for the following reasons:

- The entire property is already approved for development. There are fully approved construction plans to develop this property as permitted under current zoning. There are no conditions on this zoning. Alternatively, development of the property under R-5 guidelines as proposed allows for the realization of Master Plan goals for this Housing Opportunity Area through the preservation of a significant portion of the site – one of the few significant remaining wood lands in the City of Richmond. This would not be the case under the current approved subdivision. This request would provide quality of life benefits to property owners in the vicinity, and economic benefits to the City through greater property values.
- In comparison to the approved subdivision, this proposal reduces the storm water requirements by half (as it leaves half the site as primarily open space forested land). It reduces long term maintenance costs for the city through reduced public infrastructure and provides a number of other environmental benefits. It also serves as a model for other developers who might consider creating smaller development footprints and who could also thus take advantage of the free ecosystem services – cleaner air, storm water management, and pollution reductions that are provided by leaving intact woodlots and trees whenever possible.
- The proposed conditional rezoning proffers will ensure a higher quality development than might be developed by right under the existing R-2 zoning regulations. Currently there are no development standards for the site beyond normal zoning. This rezoning request would introduce minimum house sizes, home building material quality standards, and landscaping standards as well as open space requirements and amenities.

- The proposed development will include amenities that are not typically available in City neighborhoods. The proposed community building, lot, entry features and the preserved natural areas will ensure a quality community with features that are unique for a City neighborhood.
- The proposed development will not result in significant traffic impacts to nearby residential neighborhoods. The traffic will not be significantly greater than that which would be generated by the approved subdivision. In addition, traffic will use Ironbridge Road as a primary access, which is designated as a Principal Arterial Roadway by the Master Plan Street Hierarchy.
- No City financial participation is being requested. Financial impacts and economic benefits include direct development spent on the subject property, gross property tax revenues to the City, and resident expenditures off-site creating additional rounds of purchases and sales within the City economy. Based on current assessments within in the already developed portion of Adams Park and anticipated assessments in future sections of the community, when fully developed the project will have a total assessed value of over \$30,000,000. This will result in the city realizing real estate tax revenues in excess of \$360,000 per year.

Existing Conditions

SITE DESCRIPTION AND EXISTING LAND USE

The subject property, known as 5107 Kenmare Loop is located at the terminus of Kenmare Loop and is roughly bound by Bathgate Road to the east, Glenbeigh Drive to the north and the Falling Creek and Falling Creek Reservoir in Chesterfield County to the south. The subject property is referenced by the City Assessor as Map Reference No. C008-1265/004. Irregular in shape, the subject property contains approximately 34.5 acres of land area. The property is currently approved and platted for 67 lots under the current R-2 zoning regulations as Sections 3 and 4 of the Adam's Park subdivision.

The subject property is an infill site and one of the larger remaining undeveloped tracts of land in the City of Richmond. The site is currently vacant and is heavily wooded with very dense underbrush. The property is bordered to the north and east by single-family dwellings that are located in Sections 1 and 2 of the Adam's Park subdivision. Further north and east lies the Brookbury and Reservoir Heights subdivisions and an age-restricted multi-family dwelling complex. To the south, beyond the Falling Creek and Reservoir, lies the right of way of the Chippenham Parkway and a multi-family dwelling complex within Chesterfield County.

EXISTING ZONING

The property is currently zoned R-2 Single-Family Residential. The most significant drawback of the R-2 zoning classification as it relates to this request is that it requires larger lots that are 15,000 square feet in

area and 90 feet in lot width. Sections 3 and 4 of the Adams Park subdivision are approved and permit the development of this tract of land with R-2 sized lots. This request isn't about creating more density than what is already permitted. It's about utilizing smaller R-5 lots to conserve green space. The approved subdivision with R-2 sized lots doesn't allow for that. It requires clearing the site to a greater extent than the proposed development with R-5 sized lots. Because of the topography of the site it also requires mass grading. In all other respects, the R-2 and R-5 districts are the same. They are both included under the Master Plan land use classification of "Single-Family (low density)".

It is also important to note that the existing R-2 zoning classification provides no significant development control beyond the lot size and setback requirements contained in the zoning ordinance. There is no mechanism under this existing zoning classification to regulate the quality of single-family development through requirements. There are no requirements concerning minimum floor area, required building materials or the provision of site amenities such as entry features, open space, community buildings, play areas, etc.

ENVIRONMENTAL CONDITIONS

A Phase I Environmental Site Assessment was performed on the property. The results of the Phase I ESA indicated that there do not appear to be any visible or regulatory conditions on-site or on adjacent sites that would represent a substantial environmental threat to the subject site. No significant, visually identifiable environmental impacts or concerns were noted during the site reconnaissance on or adjacent to the subject site. A detailed review of the Federal and State databases for the subject site indicate there have been no environmental permits nor has there been any regulatory action taken on the property.

The property currently drains away from Midlothian Turnpike to an unnamed tributary of Falling Creek. As part of the design of the proposed development a stormwater management (SWM) facility will be provided on-site to address the overall stormwater management compliance requirements associated with this property. The SWM facility will be privately maintained and function as an amenity to the community.

This property abuts Falling Creek Reservoir. The reservoir has been plagued with siltation in recent decades. By clustering the development away from the reservoir, the natural ecosystem services will help preserve the reservoir.

U.S. Army Corps of Engineers (USACE) and Department of Environmental Quality (DEQ) jurisdictional wetlands and waters of the U.S. are present on the site. Great care will be taken to preserve and protect the significant environmental resource areas and allow them to become an integrated amenity to the community.

The site is also subject to the Chesapeake Bay Preservation Act (CBPA) through the City of Richmond Chesapeake Bay Preservation Program. New development will be designed to meet the pollution reduction requirements of the CBPA along with the overall stormwater management compliance requirements.

NEIGHBORHOOD CONTEXT

Adam's Park is one of several contiguous single-family neighborhoods that enjoy property values which are better than the average for this area of the City. By way of contrast, recent development in this area, other than Adams Park, has been the multi-family project across the reservoir in Chesterfield County and the Forest Creek Apartments immediately north on Ironbridge Road.

This pocket of heightened property value includes Adam's Park, Brookbury, Belmont Woods and the Reservoir Lane area and will be supported by the quality guarantees and improvements in this proposal. The improved entrance to Adams Park at the southern gateway to the city will help reinforce and stabilize this attractive and desirable residential area.

In our discussions, community leaders expressed a desire to work together to market the broader community as a premier and desirable residential area. They perceive, among other things, that their location adjacent to the Falling Creek Reservoir makes their neighborhood desirable and enhances property values. To that end, they are currently working to have this area recognized as "The Upper Reservoir District" in real estate marketing literature. In keeping with this idea, the proposed proffers/guarantees for this development were designed, and reviewed/ revised by the community, in order to result in a development that is respectful to the quality and character of the existing community while being more environmentally sensitive to the Falling Creek Reservoir and enhancing the desirability of Adams Park.

Proposal

PROJECT SUMMARY

The applicant proposes to develop the subject property, the remaining 34.5 acres of land within the Adam's Park subdivision, with 80 single-family dwellings and associated amenities and preserve existing woodlands. The applicant envisions the community as a high quality development consistent with or exceeding the quality of Sections 1 and 2 of the Adam's Park Subdivision. In addition to the attraction of being located within the city, the homes will deliver a high level of quality and amenities that are unique to a City neighborhood.

PROPOSED DWELLING CHARACTERISTICS

The proposed dwelling characteristics are designed to ensure the homes are consistent in character and meet or exceed the quality of the established sections of the subdivision. The dwellings will vary in design and size with the majority of the homes being greater than 1,700 square feet. Up to 10 dwellings would be permitted to be between 1,500 and 1,699 square feet. Quality beyond that ensured by the current zoning is guaranteed through commitments concerning building materials, porches, garages, landscaping, green building standards, etc.

QUALITY GUARANTEES (PROFFERS) FOR PROPOSED DWELLINGS

The applicant is proposing (proffering) the following development standards for the proposed dwellings:

Home Quality Guarantees:

Minimum Finished Floor Area: The minimum finished floor area for all dwellings shall be 1700 sq. ft., except up to ten dwellings may be between 1500 and 1699 sq. ft.

Exterior Materials: The exterior of all dwellings shall be constructed of brick, brick veneer, EFIS, fiber cement siding, vinyl siding (0.044" or greater thickness), stone, synthetic stone, or similar masonry material. Fifty (50) percent of the dwellings shall have a premium front. A premium front shall be defined as a front elevation that is clad with a minimum of twenty five (25) percent premium material (brick, brick veneer, stone, synthetic stone, EFIS, or similar premium material) above the foundation.

Porches: A minimum of twenty five (25) percent of the dwellings shall be constructed with a covered front porch that is at least four (4) feet deep and having a minimum area of twenty-five (25) square feet.

Foundations: The exposed exterior portion of all dwelling foundations shall be brick or similar masonry material. Masonry material at the foundation shall not count toward the twenty-five (25) percent premium material required for a premium front above.

Garages: A minimum of seventy-five (75) percent of the dwellings shall be constructed with garage with minimum dimensions of fourteen (14) feet by eighteen (18) feet.

Compliance: The property owner/builder shall provide a listing of floor area, exterior materials, porches, and garages for all dwellings approved in the development with the building permit and upon the request of the Department of Planning and Development Review in order to demonstrate compliance with the above.

Home Landscaping Guarantees: All homes shall be landscaped. A minimum of ten (10) shrubs and/or trees shall be included in the landscaping. These shrubs and/or trees shall include a minimum of three (3) different species. Shrubs shall be a minimum one (1) gallon size at installation. Of the ten (10) shrubs and/or trees, a minimum of two (2) deciduous trees having a caliper of not less than one (1) inch at the time of installation measured six inches above the ground shall be provided in the front yard within five (5) feet of the right-of-way. A front yard sod and/or irrigation option shall be offered to prospective home purchasers. An as-built survey, depicting the location of required landscaping shall be provided to the

Department of Planning and Development Review by the property owner/builder prior to issuance of a certificate of occupancy.

Driveway Guarantees: All driveways shall be constructed of exposed aggregate, concrete, brick, stone, or pre-cast pavers. Pavers may be of a permeable or porous design. An as-built survey, specifying the driveway material shall be provided to the Department of Planning and Development Review by the property owner/builder prior to issuance of a certificate of occupancy.

Post Lamp and Mail Box Guarantees: Street lights and mail boxes shall be substantially the same as those depicted on the attached product specification sheets dated June 25, 2013, and shall be installed within five feet of the right-of-way line to illuminate the street.

PROPOSED SITE DESIGN AND OPEN SPACE

A conceptual plan is included in the proffers. The conceptual plan depicts the lot layout, general location of community building and tot lot, internal public street network, and open space. The plan is conceptual in nature and is intended to demonstrate how the proposed density, open space, road network, etc. could be accommodated on site.

Within the proposed development, a minimum of 16.2 acres will be maintained as common area and or open space for passive and active recreation, constituting approximately 46 percent of the site. The conceptual layout depicts over 96 percent of the single-family detached dwellings fronting or backing on to significant open space. An additional 20 existing homes within Sections 1 and 2, which do not back up to open space under the current plan, would also back up to open space under this proposal. All homes will have pedestrian access to amenities through an integrated network of sidewalks.

The street infrastructure has been designed to include characteristics that are desirable in traditional neighborhood design. Options on the layout are somewhat controlled by topography but the layout is generally less "suburban" in nature with a reduction from six cul-de-sacs in the existing layout to two in the proposed. The remaining cul-de-sacs are softened though the use of planting circles at their centers. The road network is curvilinear in nature and contains landscape strips at strategic locations, providing traffic calming benefits. The road network is laid out in a well-connected pattern, at a pedestrian-friendly scale, allowing alternate automobile and pedestrian routes both out of the development, and into it for residents of Sections 1 and 2 wishing to utilize the amenities. The community building and tot lot will be provided with parking, but they will also be located within close walking distance to every dwelling within the proposed and existing sections of the neighborhood. The streets, lined with street trees, plantings and curvilinear in detail were specifically designed to add visual interest and address perceived issues in the layout of Section 2. The street design will maintain a desirable neighborhood feel.

DEVELOPMENT GUARANTEES (PROFFERS) FOR PROPOSED LOTS, SITE LAYOUT AND OPEN SPACE

Maximum Density: The maximum number of building lots on the property shall not exceed eighty (80) single-family dwelling lots and one (1) lot for a community center and tot lot.

Lot Size Guarantees:

Lot Area: The average of the lot size shall be 7300 sq. ft. or greater (6,000 sq. ft. minimum).

Lot Width: The average lot width shall be 60 feet or greater (50 foot minimum). No more than three (3) 50 foot wide lots may be developed in a series, except for lots fronting on cul-de-sacs.

Side Yard Setbacks: The side lot setback shall be:

Five (5) feet for fifty (50) foot lots (lots 50 up to 60 feet in width)

Six (6) feet for sixty (60) foot lots (lots 60 up to 70 feet in width)

Seven (7) feet for seventy (70) foot lots (lots 70 feet and greater in width)

Cul-de-sac Front Yard Setbacks: Cul-de-sac lots shall have a front yard setback greater than the district minimum which shall be shown on the final plat and which shall be at the point where the lot is at least 60 feet wide, measured horizontally between side lines. This lot width shall be used for determining compliance with minimum average 60 foot lot width above.

In our initial submission we had proposed to proffer a greater front yard setback with the idea that this would allow lot width to be assessed deeper in the lot. We proposed to do this on lots on the outside radius of a curve or cul-de-sac where lots are generally wider toward the rear. The greater setback would have allowed for the appearance of a wider lot and allowed these larger pie-shaped lots to be compressed, allowing for the retention of more undisturbed area. This was part of our discussions with the Adams Park neighborhood.

That original concept was ruled out by the Zoning Administration as it could technically lead to a lot that is less than 50' at the normal zoning front yard setback, therefore being "less restrictive". In order to avoid that our intention is to meet the 50' minimum lot width on all lots and, in addition, proffer that the lots will be an average of 60 feet wide. For the purpose of determining this average we will measure width at (1) the normal front yard setback for all non-cul-de-sac lots and (2) at a greater building setback line cul-de-sac lots. This greater cul-de-sac lot building setback line will be at the point where the lot measures 60 feet horizontally between the side lines

This allows us to maintain the average of 60 feet of lot width in a similar manner as it was presented to the community. It also allows us to compress the typically larger pie-shaped cul-de-sac lots in order to minimize the foot print of the development. This would all be demonstrated at the time of subdivision review.

The lot width restriction of no more than three 50 foot lots in a row is also not applicable to cul-de-sac lots as they are generally larger and the homes will be situated slightly deeper on these lots where they are wider and the narrowness of the lot is not a concern.

Open Space and Site Plan Guarantees: A minimum of 16.2 acres of the remaining Adams Park property located in the City of Richmond shall be kept as open space and deeded to the Adams Park Homeowners Association at no cost. Each existing home, as of the date of this ordinance, that abuts the new section shall be buffered with a minimum of 30 feet of open space that shall be deeded to the homeowner's association. The open space shall be left in its natural state, except for (1) the community center, tot lot or other community facilities and (2) any clearing necessary for utility lines or drainage facilities approved by the City. The Property shall be developed in a manner generally consistent with the conceptual layout plan entitled "Adams Park Conceptual Layout", dated September 25, 2013 prepared by citedesign. The conceptual layout plan is proffered to demonstrate that proffered conditions can be met and the design intent. It is conceptual in nature and the final design may vary in detail as to the exact configuration and location of lots and roads and may be adjusted for engineering reasons or as required by any governmental authority or as otherwise approved by the Planning Commission at the time of subdivision review.

SITE AMENITIES

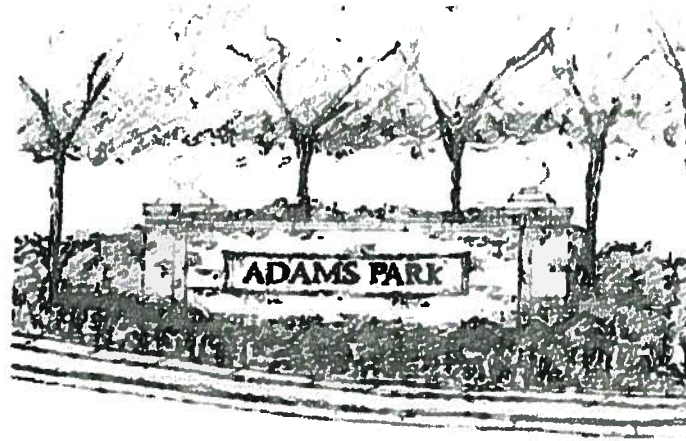
The community will feature amenities that are not common to all City neighborhoods including: a community building, a children's tot lot park, and entry features. The community building and tot lot were requested by the residents within the existing sections 1 and 2 of the subdivision.

Amenity/Facility Guarantees

Community Building: The community building shall be a one story structure with a minimum of 1,400 square feet of floor area. It shall include a small kitchen with stove and refrigerator, two bathrooms, air conditioning and a parking lot with ten (10) to fifteen (15) spaces. The details of the design shall be coordinated with the Architectural Review Committee (ARC) for the Adams Park Homeowners Association (APHA). The community building shall be turned over to the APHA at no cost to the APHA and free from debt.

Tot Lot: A modest tot lot with water fountain and lights shall be provided by the developer. The details of the design shall be coordinated with the ARC for the APHA. The community Tot Lot shall be turned over to the APHA at no cost to the APHA and free from debt.

Front Entrance Feature: An entrance feature shall be provided within the right-of-way at the intersection of Kenmare Loop and Ironbridge Road subject to receiving any required approvals from the City. The front entrance feature shall include (see sketch): A curved brick wall eighteen (18) feet long from the center of the column to the center of the other column. The columns will be at least six (6) feet from the ground to the bottom of the ball top. The cast stone letters will be one (1) foot tall. The front of the feature will be planted with hardy, low growing plants at least forty (40) per side. The top of the walls shall be cast stone to match the balls. There shall be matching features on each side of the entrance. The details of the design shall be coordinated with the ARC for the APHA. The front entrance feature shall be turned over to the APHA at no cost to the APHA and free from debt.



Rear Entrance Feature: One column identical to the current columns at the front of the community shall be provided at the rear entrance to the community. The rear entrance feature shall be turned over to the APHA at no cost to the APHA and free from debt.

SITE ACCESS AND TRAFFIC

The property will utilize the same access that is approved for the existing subdivision. Primary access will be at Ironbridge Road, which is designated as a Principal Arterial Roadway by the Master Plan Street Hierarchy. Consistent with the recommendations of the Master Plan, the development would not have primary access through adjacent Brookbury neighborhood. Accordingly, traffic from this development will not impact any other neighborhood. The traffic generated by this request will not be significantly greater than that which would be generated by the approved subdivision.

ENVIRONMENTAL BENEFITS

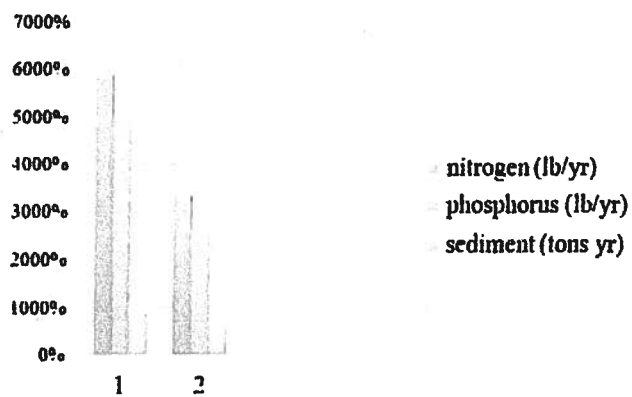
The City of Richmond is investing \$500 to \$800 million in new infrastructure to address its storm water management and mitigation.¹ In new developments, where additional storm water infrastructure is installed and paid for by the private sector, it will *still* require long-term maintenance and add to the city's costs over the coming years. Since this *project's new proposal reduces the storm water requirements by half* (as it leaves half the site as primarily open space forested land), it reduces long term maintenance costs for the city. It also serves as a model for other developers who can consider creating smaller development footprints and who can thus take advantage of the free ecosystem services -- cleaner air, storm water management, and pollution reductions that are provided by leaving intact woodlots and trees whenever possible.

¹ *Urban Integrated Wet Weather Management: the James River*, National Perspectives, Developments and Advanced Urban Wet Weather Solutions Workshop. April 14, 2011 Presentation by Bob Stiedel and Michele Virts, City of Richmond, Department of Public Utilities.

We utilized the Virginia Department of Forestry's InFOREST model (<http://inforest.frec.vt.edu/>) to calculate the difference in nutrients and sediment loadings for the approved R-2 development (Adam's Park Sections 3 and 4) and this new R-5 proposal, which requests increased density on part of the site while leaving much of the land as open space. InFOREST utilizes the most up-to-date Virginia land cover data and technical literature to calculate the loadings of the three primary pollutants of concern to the Chesapeake Bay; nitrogen, phosphorus and sediment. These pollutants must be reduced under the Virginia Watershed Improvement Plan submitted to the EPA. The Adam's Park Development is bordered by an impaired reservoir (no longer used for drinking water but required to be improved).

The new R-5 proposal reduces nitrogen entering the reservoir by 60 fold. Below are the resultant loading reductions achieved in the new proposal. Scenario one below represents the loadings from the currently approved subdivision and Scenario two shows the loadings under our current proposal which includes significant open space.

Scenarios	As is	1	2
nitrogen (lb/yr)	1.5	90	51.4
phosphorus (lb/yr)	0.2	10.2	5.5
sediment (tons/yr)	0.1	1.1	0.8



In addition to reduced pollutant loadings, the proposed retention of tree cover and access to nature-based recreation such as walking in the woods, bird watching and other passive recreation allows residents to access nature where they live. This tree cover will also help to filter the city's air by absorbing volatile organic compounds, sequester carbon, and produce oxygen.

THE FINANCIAL BENEFITS OF ENVIRONMENTAL SENSITIVITY

Not insignificant are the financial benefits to property owners who will now have access to a local woodland close to their homes. Many studies have found that large natural forest areas have a greater positive impact on nearby property prices than smaller urban parks or developed parks such as playgrounds, skate parks or golf courses. Homes located within 1,500 feet of natural forest areas enjoy statistically significant property premiums, on average \$10,648, compared to \$1,214 for urban parks, \$5,657 for specialty parks and \$8,849 for golf courses (in 1990 dollars). Similar studies in Howard County, MD; Washington County, OR; Austin, TX; Minneapolis-St. Paul, MN., and other areas used data from residential sales, the census and GIS to examine marginal values of different types of parks. They

found similarly, that the type of open space -- forested natural areas -- positively affects the benefits for property values. (The Economic Benefits of Recreation, Open Space, Recreation Facilities and Walkable Community Design, 2010) Creation of a natural area within this development thus serves to protect and enhance property values, benefitting the city over the long term by providing a strong real estate tax base.

Conformance with Written Policy

MASTER PLAN LAND USE PLAN AND SUPPORTING TEXT

The Master Plan Land Use Plan recommends "Single-Family (low density)" for the subject property and includes it in a "Housing Opportunity Area". The underlying land use plan designation (Single-Family (low density)) and Land Use Plan for the Broad Rock Planning District outline a strategy for the development of this specific property that supports this request. It includes the following:

Page 133 – Description of Land Use Categories – Single-Family (low density)

"Primary use is single-family detached dwellings at densities up to seven units per acre...Typical zoning classifications that may accommodate this land use category: R-1, R-2, R-3, R-4 and R-5."

Page 149 – Broad Rock District – Land Use Plan:

"Several residential areas on the Land Use Plan map are also designated as Housing Opportunity Areas (HOA). This designation indicates that the site is appropriate for residential development consistent with the underlying land use plan designation. However, the HOA designation suggests that, for these specific sites, higher density residential development is also appropriate, provided that specific objectives can be met."

Page 149 – Broad Rock District – Land Use Plan:

"The Housing Opportunity Area located west of Ironbridge Road and south of the Brookbury subdivision near the Chesterfield County line (also located partially located in a Chesapeake Bay Preservation Area) contains one of the few natural areas remaining within the City limits. In order to provide incentives to protect a significant portion of the site and allow it to remain in a natural setting a higher residential density should be allowed."

This proposal offers exactly what the Master Plan calls for, except it really doesn't rely on a higher residential density. The R-5 district is found in the same Master Plan land use category as the current R-2 zoning. Certainly smaller lots are utilized in the proposal. However, the overall density is not substantially increased. So, the specific Master Plan HOA objectives are met without a significant density bonus. In turn, a significant portion of the site would remain in a natural setting. This is not the case with the approved subdivision, development of which would call for substantial clearing on the site

Page 149 Broad Rock District Land Use Plan:

"Primary access to the site should be from Ironbridge Road."

Primary access will be from Ironbridge Road which is designated as a Principal Arterial Roadway by the Master Plan Street Hierarchy.

ADDITIONAL MASTER PLAN TEXT

The Master Plan contains additional relevant text guidance in its Key Strategies and Directions and Neighborhoods and Housing sections as follows:

Page 26 – Key Strategies and Directions - Housing and Neighborhood Strategies:

“Create opportunities for new, high quality housing targeted to middle-class homeowners... New housing is essential to ensure a more diverse mix of homeowners and incomes in City neighborhoods, through the careful development of select tracts of vacant and/or underutilized land wherever appropriate.”

The proposed development would be a higher quality development marketable to middle-class families. It would contain quality guarantees that are not assured by the existing unproffered R-2 zoning. The development is consistent with Master Plan strategies regarding the development of vacant or underutilized land. The development seeks to provide a more sensitive development of the property than is afforded by the approved subdivision by retaining significant undisturbed woodland.

Page 29 – Key Strategies and Directions – Land Use:

“Encourage higher quality residential development. There are a limited number of locations throughout the City that provide an opportunity for new residential development. The vast majority of these are located within the context of established single-family neighborhoods. Many of these have natural or man-made constraints that impact development. With so few opportunities for new development, incentives should be provided to encourage quality development without adversely impacting surrounding neighborhoods or environment.”

The proposed development will be a quality development including amenities that are not typically available in City neighborhoods and which are not called for by the existing unproffered R-2 zoning. The proposed development controls, community building, lot and green space will ensure a quality community. There will be no adverse impact on surrounding neighborhoods as the use is directly compatible, consistent in density with the approved subdivision and there will be no adverse traffic impact. The proposed development should increase overall property values in the area. Rather than adversely impacting the environment, this proposal would provide protections not afforded by the approved subdivision

Page 96 – Neighborhoods and Housing – Goals for Neighborhoods and Housing:

- “Richmond neighborhoods will be recognized as safe, attractive and desirable places to live, work and raise families, while providing a variety of housing choices and homeownership opportunities.”
- “New and better quality housing will be targeted to home owners.”

The Site layout facilitates a safe environment. Community spaces would be accessible and visible from streets and dwellings. The community would include lighted streets and community sidewalks. The

proposal would provide desirable and unique homeownership opportunities. The retention of green space, provision of community amenities and quality guarantees will ensure better quality housing than guaranteed under the existing zoning. The development will be targeted to homeowners as new housing with all units for sale at the time of the initial certificate of occupancy.

Page 99 – Neighborhoods and Housing – Challenges:

- “To maintain and ultimately increase the number of homeowners.”
- “To meet City Council’s stated goal of increasing the City’s population with 5,000 additional residents; this will require the renovation or construction of over 2,000 dwelling units.”

This project would do its part in helping the City increase the number of home owners through the addition of 80 families.

Page 100 – Neighborhoods and Housing – Policies for Housing – New Housing:

- “Promote the development of new, high quality housing.”
- “Encourage the development of a range of housing types, styles and prices.”
- “Promote residential mixed-use development...”
- “Provide opportunity through the development review process for higher density, higher quality single-family residential development in areas where vacant land is available.”

The proposed development meets all of the above criteria. As stated elsewhere in this report, the proposed development would be a higher quality development designed with quality and environmental sensitivity in mind.

Page 100 – Neighborhoods and Housing – Policies for Housing – Homeownership:

“Increase homeownership opportunities in all neighborhoods for every income level.”

By providing new product available to step up or first time home buyers, this project will significantly increase homeownership opportunities within the City.

Conclusion

The proposed rezoning will facilitate the completion of the Adam’s Park subdivision with the construction of up to 80 homes. The proposed development will be a high quality, market-rate development designed to be more environmentally sensitive by retaining substantial wooded land. The applicant has balanced its needs with those of the existing Adam’s Park residents while meeting the recommendations of the Master Plan and the City’s desire for higher quality housing. For these reasons, the Applicant requests your approval.

As stated in the introduction, positive aspects of the proposal include, but are not limited to the following:

- The entire property is already approved for development. Development of the property under R-5 guidelines as proposed allows for the realization of Master Plan goals for this Housing Opportunity Area through the preservation of a significant portion of the site – one of the few significant remaining wood lands in the City of Richmond. This would not be the case under the current approved subdivision. This provides quality of life benefits to property owners in the vicinity, and economic benefits to the City through greater property values.
- In comparison to the approved subdivision, this proposal reduces the storm water requirements by half (as it leaves half the site as primarily open space forested land). It reduces long term maintenance costs for the city and provides a number of other environmental benefits. It also serves as a model for other developers who can consider creating smaller development footprints and who can thus take advantage of the free ecosystem services -- cleaner air, storm water management, and pollution reductions that are provided by leaving intact woodlots and trees whenever possible.
- The proposed conditional rezoning proffers will ensure a higher quality development than might be developed by right under the existing R-2 zoning regulations. Currently there are no development standards for the site. The rezoning would introduce minimum house sizes, home building material, and landscaping standards as well as open space requirements and amenities.
- The proposed development will include amenities that are not typically available in City neighborhoods. The proposed community building, tot lot, entry features and the preserved natural areas will ensure a quality community with unique features.
- The proposed development will not result in significant traffic impacts to nearby residential neighborhoods. The traffic will not be significantly greater than that which would be generated by the approved subdivision. In addition, traffic will use Ironbridge Road as a primary access, which is designated as a Principal Arterial Roadway by the Master Plan Street Hierarchy.
- No City financial participation is being requested. Financial impacts and economic benefits include direct development spent on the subject property, gross tax revenues to the City, and resident expenditures off-site creating additional rounds of purchases and sales within the City economy. Based on current assessments within in the already developed portion of Adams Paark and anticipated assessments in future sections of the community, when fully developed the project will have a total assessed value of over \$30,000,000. This will result in the city realizing real estate tax revenues in excess of \$360,000 per year.

