



# REZ-2024-102145

## Schell Brothers

Staff Report for Board of Supervisors Public Hearing  
Prepared May 29, 2025

*This report is prepared by the Henrico County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this application. It may also be useful to others interested in this zoning matter.*

### **I. PUBLIC HEARINGS:**

<b>Planning Commission:</b>	March 13, 2025	Recommended for Approval
<b>Board of Supervisors:</b>	April 8, 2025	Deferred by Board of Supervisors
	May 13, 2025	Deferred by Board of Supervisors
	June 10, 2025	Pending ( <i>deferral requested to July 22, 2025</i> )

### **II. IDENTIFICATION AND LOCATIONAL INFORMATION:**

<b>Requested Zoning:</b>	R-5AC General Residence District (Conditional)
<b>Existing Zoning:</b>	A-1 Agricultural District
<b>Acreage:</b>	9.01 acres
<b>Proposed Use:</b>	Single-Family Residential Development
<b>Location:</b>	Northeast intersection of Pouncey Tract Road (State Route 271) and Shady Grove Road
<b>Magisterial District:</b>	Three Chopt
<b>2026 Comprehensive Plan Recommendation:</b>	Urban Residential
<b>Parcel Numbers:</b>	739-770-1325
<b>Zoning of Surrounding Properties:</b>	North: R-2AC One-Family Residence District (Conditional) (Westcott at Grey Oaks subdivision) South: A-1 Agricultural District East: R-2AC One-Family Residence District (Conditional) (Mason Park subdivision) West: A-1 Agricultural District and R-2AC One-Family Residence District (Conditional) (Bentley subdivision)

### **III. SUMMARY OF STAFF REPORT COMMENTS:**

This is a request to conditionally rezone 9.01 acres from A-1 Agricultural District to R-5AC General Residence District (Conditional) to allow a single-family residential subdivision. The site is located at the northeast intersection of Pouncey Tract Road (State Route 271) and Shady Grove Road. The surrounding area is characterized by single-family subdivisions to the north, east and west and places of worship to the south and west.

Proffers submitted by the applicant address construction hours, density, and architectural elements. A concept plan and other exhibits depicting the layout and general character of the development have also been proffered.

The 2026 Comprehensive Plan designates the subject property Urban Residential, with a recommended density from 3.4 to 6.8 units per acre and a variety of housing types, including detached single-family homes. The applicant held a community meeting on November 18, 2024, with approximately 25 residents in attendance. Topics of discussion included drainage, landscaping and existing tree canopy, hours of construction, access points, sidewalk along Pouncey Tract, and dimensions of proposed lots. A second community meeting was held on February 24, 2025, with approximately 16 residents in attendance.

Residents in attendance at the Planning Commission's March 13, 2025, public hearing voiced concerns related to wholesale clearing of the subject property, landscaping adjacent to the proposed BMP and neighboring residences, stormwater, site access, sidewalk along Pouncey Tract, and impact on trees located on adjacent properties. In response to these concerns, the applicant committed to the provision of additional sidewalk along Pouncey Tract, connecting the proposed sidewalk along the property's frontage to the existing sidewalk to the north; and added optional tree protection measures for the area around the BMP.

The proposed use and density of 2.89 units per acre is generally consistent with the future land use designation and would continue the pattern of development in the area. The development would utilize existing infrastructure and proffered conditions would work to mitigate negative impacts on the surrounding area; however, as noted in Section IV, staff believes the proffered roadway buffers could be enhanced to provide additional protections for future residents and increase consistency with nearby developments, and assurances could be provided regarding tree preservation. Should the applicant address these concerns, staff could support this request.

Residents in attendance at the April 8, 2025, Board of Supervisors public hearing expressed concerns related to stormwater, landscaping, and preservation of existing trees, among others. The Board of Supervisors deferred this request to their May 13, 2025, public hearing. The case was subsequently deferred to the June 10, 2025, public hearing to provide the applicant additional time to further refine the request. The applicant has since requested an additional one-month deferral to the July 22, 2025, June 10, 2025 Board of Supervisors hearing to continue refining the request.

### **IV. LAND USE ANALYSIS AND IMPLICATIONS:**

The 9.01-acre subject property is located at the northeast intersection of Pouncey Tract Road (State Route 271) and Shady Grove Road and consists of a wooded lot bordering two residential subdivisions. The surrounding area is residential in nature, with single-family neighborhoods immediately to the north and east, and places of worship across Pouncey Tract Road to the west and Shady Grove Road to the south.

The Grey Oaks and Mason Park residential subdivisions, zoned R-2AC One-Family Residence District (Conditional), are located to the north and east, respectively. To the northwest, across Pouncey Tract Road, is the Bentley subdivision, zoned R-2AC. At the northwest intersection of Pouncey Tract Road and N Gayton Road is Christ Episcopal Church, zoned A-1 Agricultural District. Shady Grove United Methodist Church, zoned A-1, is located to the south across Shady Grove Road. An assisted living facility, Westmont at Short Pump, sits opposite the subject property at the southwest intersection of Pouncey Tract Road and Shady Grove Road.

The applicant proposes to conditionally rezone the parcel from A-1 to R-5AC to allow a single-family residential neighborhood. A proffered concept plan shows a single point of access to the development at Shady Grove Road. Both the primary ("Road A") and secondary ("Road B") internal roads terminate in a cul-de-sac. A BMP would be located in the northeast corner of the subject property, with dry swales located along the northern and eastern property boundaries to provide drainage for the development. The plan also shows a proffered sidewalk along one side of Road A, connecting to the existing sidewalk along Shady Grove Road. A proffered continuation of sidewalk along the property's Pouncey Tract Road frontage is also shown.

The proffered density would be no more than 26 residences, an equivalent gross density 2.89 units per acre. Staff notes that the proposed layout may not meet certain dimensional standards related to lot width for the R-5A District and changes to the lot layout may be necessary should this request be approved.

A proffered Transitional Buffer 25 is shown along the subject property's Shady Grove Road and Pouncey Tract Road frontages. To increase consistency with planted buffers provided with other developments in the area, the applicant is strongly encouraged to commit to providing a berm or other design feature in these buffers. The dry swales running along the property's northern and eastern property boundaries, adjacent to existing single-family residences, would be planted with evergreen trees. Other proffers would restrict construction hours to 7:00 am to 7:00 pm, Monday through Friday, and 9:00 am to 5:00 pm, Saturday; and address landscaping. While proffers would require one tree in each front yard, staff encourages the applicant to commit to preserving existing trees in a manner consistent with the surrounding area.

Proffered elevations show two-story craftsman-style residences with front-loaded, two-car garages. Proffered exterior building materials include stone or cultured stone, stone veneer, brick or brick veneer, E.I.F.S., cementitious siding, or high-grade vinyl. Driveways would be constructed of brick, asphalt, pre-cast pavers, or concrete.

The applicant held a community meeting on November 18, 2024, with approximately 25 area residents in attendance. Topics of conversation included traffic, proposed density, hours of construction, stormwater and drainage, access points and pedestrian infrastructure along Pouncey Tract Road. The applicant has responded to these concerns by restricting the hours of construction, limiting site access to one point, proffering sidewalk along Pouncey Tract Road, and committing to stormwater facilities along the property's boundary when adjacent to existing single-family residences. A second community meeting was held on February 24, 2025, with approximately 16 residents in attendance who continued to express concerns regarding site clearing and its impact on adjacent vegetation, and landscaping around the proposed BMP.

Residents in attendance at the Planning Commission's public hearing on March 13, 2025, also voiced concerns related to wholesale clearing of the subject property, landscaping adjacent to the proposed BMP and neighboring residences, stormwater, site access, sidewalk along Pouncey Tract, and impact on trees located on adjacent properties. In response to these concerns, the applicant has proffered an additional sidewalk along Pouncey Tract, connecting the proposed sidewalk along the subject property's frontage to the existing sidewalk beginning at the Reserve

at Pouncey Tract development. The applicant has also included optional tree protection measures for the BMP access easement, if approved at the time of Plan of Development review.

The proposed use and density are generally consistent with the 2026 Comprehensive Plan designation of Urban Residential and would continue the existing pattern of development in the area. The development would take advantage of existing infrastructure and provide a needed pedestrian connection along Pouncey Tract Road. For these reasons, staff is generally supportive of this request; however, as noted above, staff believes there are opportunities to provide additional assurances related to preserving existing trees, including berming within the proffered buffers adjacent to roadways, and enhancing tree protection between the site and existing adjacent residences. Should the applicant address these items, staff could fully support this request.

Those residents in attendance at the April 8, 2025, Board of Supervisors public hearing continued to voice concerns related to stormwater, landscaping, preservation of existing trees, and potential impact on the surrounding area. The Board of Supervisors deferred this request to their May 13, 2025, hearing. A one-month deferral was granted at the May 13 meeting to the June 10, 2025, public hearing to provide the applicant additional time to work on the request. The applicant has since requested an additional one-month deferral to the July 22, 2025, public hearing. Following the Board's action, the applicant has submitted an additional one-month deferral request to the June 10, 2025 hearing to give them additional time to work on the request.

## **V. COMPREHENSIVE PLAN ANALYSIS:**

### ***Comprehensive Plan Recommendation:***

The 2026 Comprehensive Plan designates this site for Urban Residential, with a density of between 3.4 to 6.8 units per acre. This request would be lower than the maximum recommended density of the Urban Residential designation, and would be in keeping with the character of the surrounding area.

### ***Vision, Goal, Objectives, and Policies:***

This request is most consistent with the following Goals, Objectives, and Policies of the 2026 Comprehensive Plan:

- Infrastructure/Service Provision and Growth Coordination Objective 6: Encourage the sensitive infill development of vacant or underutilized parcels in more developed areas of the county to more efficiently utilize existing public facilities.
- Land Use and Community Character Objective 3: Encourage new growth and development that takes into account location and availability of infrastructure and services.
- Land Use and Community Character Objective 10: Use development design guidelines and standards to enhance, promote, and protect a high-quality community identity and aesthetic.

## **VI. PUBLIC SERVICE AND SITE CONSIDERATIONS:**

### ***Major Thoroughfare and Transportation:***

The following is the approximate number of new trips expected by the proposed development of 26 residential units:

Total weekday trips = 150 (75 in, 75 out)

A right turn lane into the site will need to be constructed on Shady Grove Road and road widening along the parcel to add a southbound left turn lane into the site. Some right-of-way may need to be dedicated. All improvements to Pouncey Tract Road should be coordinated with VDOT.

### ***Drainage:***

All proposed improvements must comply with all applicable Public Works plan of development requirements. Land disturbance greater than 2500 sq feet will require an Environmental Compliance Plan. The site must comply with applicable stormwater quality and quantity requirements. Analyze and provide solutions to minimize drainage impacts on downstream properties. No more than 50 residential lots are allowed upon a single access point. No more than 82 residential units are allowed upon a single access point. Traffic Engineering will determine if any right-of-way dedication or road improvements are required. VDOT will determine if any road improvements are required along Pouncey Tract Rd. Based on GIS, Waters of the U.S. and/or hydric soils are present (indicating possible wetlands). Corps of Engineers and DEQ permits may be required.

### ***Public Utilities:***

Water and Sewer are available. There is an existing sanitary sewer line in Westcott Landing Court with an existing easement. Water is located in Pouncey Tract Road and Shady Grove Road.

### ***Department of Community Revitalization:***

No comments received on this request.

### ***Schools:***

This rezoning case proposes the development of no more than 26 single-family detached residential units.

School Level	School Name	2024 Membership	Functional Capacity	Total Student Yields
Elementary	Twin Hickory	493	592	9.6
Middle	Short Pump	1,053	1,238	6.2
High	Deep Run	1,853	1,850	8.6
*At Development Buildout		Total Students:		24.4

Based on September 30, 2024, membership and capacity figures shown above, Twin Hickory Elementary was at 83.3% capacity for the 2024-25 school year. The analysis shown above indicates the proposed development would potentially yield 9.6 elementary students once the development has reached complete build out. Twin Hickory Elementary is not currently in danger of being over capacity and is not projected to become over capacity in the next five years.

Short Pump Middle was at 85.1% capacity for SY2024-25. The analysis shown above indicates the proposed development would potentially yield 6.2 middle school students. This school is not currently in danger of being over capacity and is not projected to become over capacity in the next five years.

Deep Run High was at 100.2% capacity. The analysis shown above indicates the proposed development would potentially yield 8.6 high school students. Deep Run High has been at or above 100% functional capacity for the last five years and is projected to continue this trend. With this development and others occurring in the Three Chopt Magisterial District, Deep Run High's capacity relief measures such as trailers, programmatic adjustments, redistricting, and others, will need to be considered.

***Division of Fire:***

No comment

***Division of Police:***

Based on the information provided, the Police Division has no comments on this case.

***Recreation and Parks:***

No park or recreation facilities, archeological or battlefield impact.

***Libraries:***

This request falls within the service area of the Twin Hickory Area Library that was part of the 2000 bond referendum. Presently this 40,000 sq. ft. facility, opened in July 2007, offers expanded meeting, study, and conference room space; digital media lab; enhanced children's and teens' space plus a drive-up pickup/drop off services. As these types of developments continue to be built and the population in the area continues to grow, Twin Hickory Area Library can meet the increased service demands.

***Topography and Land Characteristics Adaptability:***

There are no known topographic reasons why the property could not be developed as proposed.



# Proffers for Conditional Rezoning

## County of Henrico, Virginia

4301 E. Parham Road, Henrico, Virginia 23228  
Henrico Planning Web Site: <http://www.henrico.us/planning>

Mailing Address: Planning Department, P.O. Box 90775, Henrico, VA 23273-0775 Phone (804) 501-4602

Facsimile (804) 501-4379

☒ Original ☐ Amended Rezoning Case No. REZ-2024-102145 Magisterial District Three Chopt

Pursuant to Section 24-2304 of the County Code, the owner or duly authorized agent\* hereby voluntarily proffers the following conditions which shall be applicable to the property, if rezoned:

 / Jeffrey P. Geiger  
Signature of Owner or Applicant / Print Name

March 27, 2025  
Date

*\*If applicant is other than Owner, the Special Limited Power of Attorney must be submitted with this application*

1. Concept Plan. The Property shall be developed in general conformance with Exhibit A, attached (see case file) and dated February 13, 2025, prepared by Koontz Bryant Johnson Williams (the "Concept Plan"). The exact locations, footprints, configurations, size, and details of the roads, lots, buildings and other improvements shown on the Concept Plan are illustrative and are subject to change and may be updated from time to time as required for final engineering designs, compliance with governmental regulations or as otherwise approved at the time of Plan of Development review of the Property.
2. Perimeter Requirements.
  - a. A dry swale planted with evergreen trees at a spacing of 10' on center shall be provided along the perimeter of the project adjacent to existing single family lots in the two locations generally shown on the Concept Plan.
  - b. The evergreen trees, planted at a spacing of 10' on center, will be continued along the boundary line shared with GPINs 739-770-5246, 739-770-3865, 739-770-1270, 739-770-1779, and 739-770-0561, if permitted at the time of plans review. If evergreen trees are not permitted, the owner will request an alternative plant type that can be approved at the time of plans review, if any. As an alternative to planting additional plants, tree protection measures may be used for trees located along the boundary line to the extent permitted within the access easement around the stormwater basin by the Department of Public Works – Stormwater. The tree protection measures employed shall be determined at plan of development review and approved by the Director of Planning and the Director of Public Works.
  - c. A fence shall be provided around the perimeter of the stormwater basin, unless otherwise required during the plan of development review and approval process. The fence provided around the perimeter of the stormwater basin shall be an aluminum decorative spaced picket fence minimum four (4) feet tall, similar to the illustrative fence image attached to these proffers (see case file), unless an alternative style of screening fence is required at the time of plan of development review for plan approval.
  - d. Along Pouncey Tract Road and Shady Grove Road a buffer area 25' in width shall be provided. These buffer areas shall be planted in accordance with the planting standards of the thirty-five (35) foot transitional buffer, except to the extent necessary for the entrance road, utility easements, signage, sidewalks, and other purposes requested and specifically permitted, or if required, at the time of Plan of Development. An alternative planting standard may be approved by the Director of Planning at the time of plans review and approval. Any excess dirt resulting from grading the site shall be used to create berm(s) (linear or mounds) within both of these buffer areas, unless an alternative improvement or design is approved for placement within both of these buffer areas at the time of plan of development review and approval.



## Proffers for Conditional Rezoning (Supplemental)

County of Henrico, Virginia

4301 E. Parham Road, Henrico, Virginia 23228

Henrico Planning Web Site: <http://www.co.henrico.va.us/planning>

**Mailing Address:** Planning Department, P.O. Box 90775, Henrico, VA 23273-0775

Phone (804) 501-4602

Facsimile (804) 501-4379

3. **Best Management Practice.** Above-ground stormwater basins shall be located outside of any landscaped buffer within the Property, except as a landscaping amenity or water related feature, or unless approved at the time of Plan of Development review. Any permanent wet pond must include an aeration feature and meet the requirements of Sec. 24-4306 G. 6.
4. **Entrance on to Shady Grove.** The entrance onto Shady Grove shall be designed with a right-turn taper along the frontage of the Property on Shady Grove and within the existing right-of-way. No off site right of way acquisition shall be required to accommodate the design of this taper.
5. **Construction.** The hours of exterior construction activities, including operation of bulldozers and other earthmoving equipment shall be between 7:00 a.m. and 7:00 p.m. Monday through Friday and 9:00 a.m. and 5:00 p.m. on Saturdays, except in emergencies or where unusual circumstances require the specific hours in order to complete work such as concrete pours, asphalt pours and utility connections. No exterior construction activities shall be allowed on Sundays. Signs, in both English and Spanish, stating the above-referenced provisions, shall be posted and maintained at all entrances to the Property prior to any land disturbance activities thereon.
6. **Density.** No more than 26 dwelling units shall be developed on the Property.
7. **Architecture.** Single family detached dwellings constructed on the Property shall be in general conformance with the architectural style depicted on Exhibit B (see case file) and attached hereto and by this reference made a part hereof, unless otherwise approved by the Planning Director at the time of Plan of Development review. French doors shown on Exhibit B may be replaced with garage doors.
8. **Building Materials.** All buildings shall have exposed exterior walls (above grade and exclusive of trim, which may be metal, wood or vinyl) of stone, cultured stone, stone veneer, brick, brick veneer, E.I.F.S., cementitious siding (e.g. Hardi-plank), high-grade vinyl (a minimum of .042" nominal thickness as evidenced by manufacturer's printed literature), or a combination of the foregoing unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development review.
9. **Foundations.** The exposed exterior portions of all foundations below the first-floor level shall be finished with brick, brick veneer, stone, stone veneer, cultured stone or other masonry material approved by the Director of Planning. On the front, side and rear elevations of each building, there shall be a minimum of twelve (12) inches of brick, brick veneer, stone, stone veneer, cultured stone or other masonry material approved by the Director of Planning. For reasons associated with required site grading, the requirements of this proffer may be modified or waived by the Director of Planning for individual side or rear facades.
10. **Foundation Planting.** Foundation planting beds are required along the entire front facade of the house, excluding porches, architectural features and garages, and shall contain initially a minimum of fifty (50) percent evergreen material. The front corner of each building shall be visually softened initially with a vertical accent shrub or small evergreen tree.
11. **Front Yard Trees.** One tree shall be planted in each front yard. Each of these trees shall count toward the tree canopy requirement.





## Proffers for Conditional Rezoning (Supplemental)

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12. **Sidewalks.** Sidewalks shall be provided, at a minimum, along one side of each internal road. A sidewalk will be constructed along the Property's frontage on Pouncey Tract Road, which may be located in the buffer in an easement benefiting the County. Only if public right-of-way is available, this sidewalk along Pouncey Tract Road shall be continued to the current sidewalk terminus north of the Property (the "Sidewalk Extension Obligation"). The owner shall have no obligation to acquire any needed offsite right-of-way or public easement. If public right-of-way is not available for all of the installation requirements for this Sidewalk Extension Obligation at the time of plan of development submittal, the owner shall be relieved of the Sidewalk Extension Obligation.
13. **Protective Covenants.** Prior to the issuance of the first building permit, a document shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of the Property.
14. **Lead Walk.** A lead walk a minimum of a three (3) feet in width shall be provided to the front entrance of each dwelling unit, to connect to alleys, sidewalks or streets.
15. **Driveways.** Driveways shall be constructed of either cobblestone, brick, asphalt, pre-cast pavers, concrete or other similar hardscape materials approved by the Director of Planning.
16. **Cantilevering.** There shall be no cantilevered treatment of any architectural features on the first floor. Items on the upper floors such as balconies, decks, bump-outs, box or bay-type windows may be cantilevered, but shall include decorative supports.
17. **Sod and irrigation.** Each front and side yard (to the edge of the rear of the unit on corner lots adjacent to streets) shall initially be sodded and irrigated, exclusive of mulched flowerbeds and landscaping.
18. **EV Charging.** Each garage shall include an EV charger or conduit to facilitate the installation of chargers for electrical vehicles, unless a home buyer specifically declines the installation of either one in writing at the time of contracting for the purchase of the home.
19. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

HILTON R. DAVIS, JR.

By:   
Jeffrey P. Geiger, Attorney-in-Fact  
Date: March 27, 2025

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Shady Grove & Pouncy Tract Prop.  
Conceptual Layout '5J3' - Single Family

			Units
Acreage:	9		Acres*
Potential Lot Yield:	26		Units
Density:	2.89		D.U.s/acre
Approx. Lot Size:	9,000		SF
Min. Lot width:	55		LF
Min. Lot Depth:	135		LF
Potential SWM/BMP Sites:	1		Each
* Approx. Acreage from GIS data			



**KOONTZ BRYANT  
JOHNSON WILLIAMS**  
1703 N. Parham Rd. Suite 202  
Henrico, Va 23229  
(804) 740-9200  
FAX (804) 740-7338  
www.KBJWgroup.com



COMMONWEALTH OF VIRGINIA  
**GARY LEE SCOTTOW**  
Lic. No. 000448  
02/13/2025  
LANDSCAPE ARCHITECT

NO.	DATE	REVISIONS	
		DESCRIPTION	
			POST APPROVAL

DESIGNED	GLS
DRAWN	GLS/JKG
CHECKED	GLS

**SHADY GROVE RD PROPERTY**

THREE CHOPT. MAGISTERIAL DISTRICT

HENRICO COUNTY, VIRGINIA

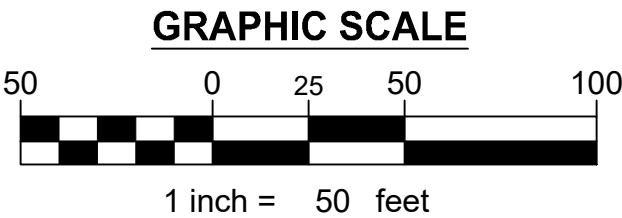
**CONCEPTUAL PLAN**

SCALE: 1"=50'
DATE: 07/02/2024
PROJECT: 24-30049-001

CP-A



EXHIBIT A  
REZ-2024-102145



















# Illustrative Fence

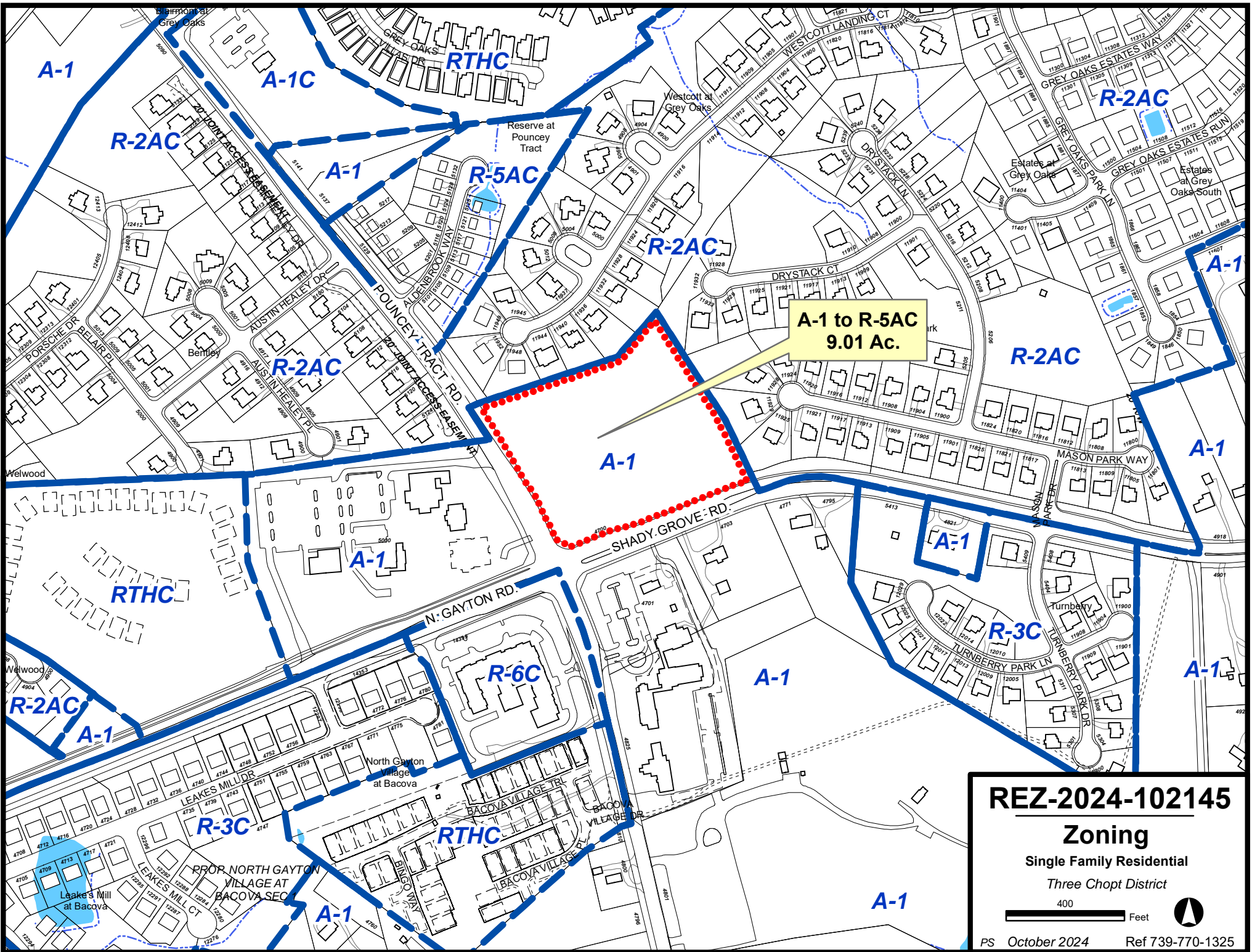
Attached to Proffered Conditions, dated March 12, 2025



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REZ-2024-102145





**REZ-2024-102145**

**Zoning**

Single Family Residential

Three Chopt District

400

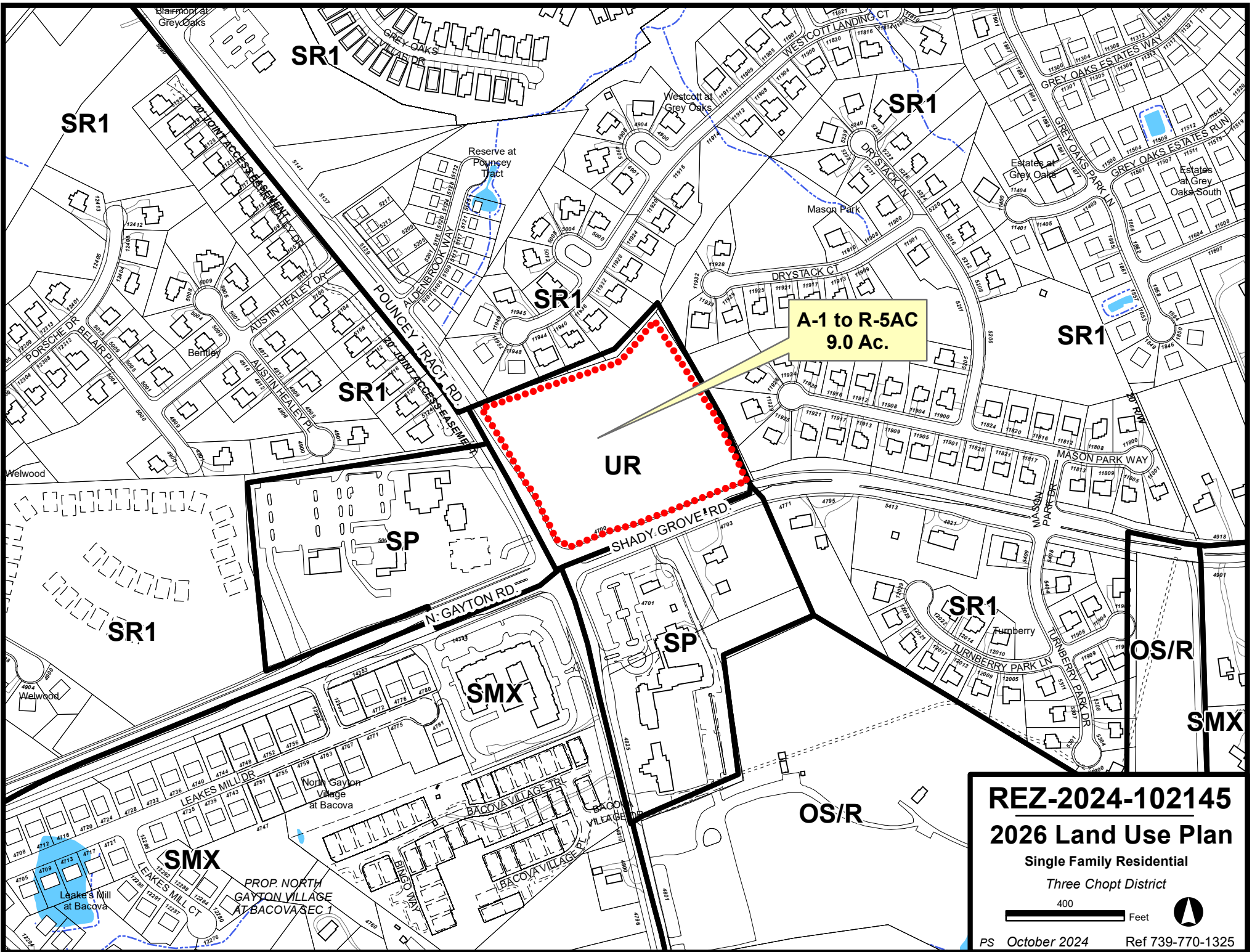
Feet



PS October 2024

Ref 739-770-1325



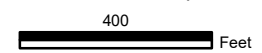


**REZ-2024-102145**

**2026 Land Use Plan**

Single Family Residential

Three Chopt District



PS October 2024

Ref 739-770-1325