



REZ-2025-101722

Elderhomes Corp

Staff Report for Board of Supervisors Public Hearing
Prepared February 23, 2026

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 land use matter.

I. PUBLIC HEARINGS:

Planning Commission:	September 11, 2025	Recommended for Denial
Board of Supervisors:	October 14, 2025	Deferred at Applicant's Request
	November 12, 2025	Deferred at Board of Supervisors' Request
	January 27, 2026	Deferred at Applicant's Request
	March 10, 2026	Pending

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Request:	R-5AC General Residence District (Conditional) and R-5BC General Residence District (Conditional)
Existing Zoning:	R-3 One-Family Residence District and B-3 Business District
Acreage:	17.51 acres
Proposed Use:	Single-family development
Location:	Northwest intersection of Nine Mile Road (State Route 33) and Newbridge Road
Magisterial District:	Varina
Comprehensive Plan Recommendation:	Suburban Residential 2 and Commercial Arterial
Parcel No.:	817-726-9388, 817-727-7702, and 818-726-1688
Zoning of Surrounding Properties:	North: R-3 One-Family Residence South: R-2A One-Family Residence East: R-3 One-Family Residence & B-3 Business District West: R-3 One-Family Residence

III. SUMMARY OF STAFF REPORT:

This is a request to conditionally rezone a 17.5-acre site from B-3 Business District and R-3 One-Family Residence District to R-5AC General Residence District (Conditional) and R-5BC General Residence District (Conditional) to construct up to 60 detached single-family homes at the northwest intersection of Nine Mile Road (State Route 33) and Newbridge Road. The applicant has submitted proffers that address architectural elevations, buffers, density, and hours of construction, among other topics. To address previous potential drainage issues raised by staff and the Department of Public Works (DPW), the applicant has provided an updated concept plan and proffers. ~~related to the Nine Mile Road frontage, buffer requirements, and street trees. The applicant has also formally acknowledged they are aware of the topographical challenges on the property related to its environmental features and the impact these may have on site drainage and design if the project were to move forward. To address these topographical challenges and their impact on site drainage, the applicant has submitted a revised concept plan that includes~~ The concept plan shows an expanded wet dry BMP pond. The Department of Public Works (DPW) has reviewed the grading, fill, and calculations associated with this revised plan and indicated the changes address their previous concerns. ~~provided additional comments, including a list of concerns that remain unresolved~~

The 2026 Comprehensive Plan's designations for this site are Suburban Residential 2 (maximum density of 3.4 un/ac) and Commercial Arterial. Although the gross density of 3.43 would slightly exceed the SR2 recommendation, it would be consistent with the recently adopted 2026 Plan amendment addressing Small-Lot Single Family Residential Developments which recommends up to 10 units per acre. Given the recommended future land use and development pattern in the area, the proposed use could be appropriate in this location. ~~Given that the drainage design provided is incomplete and there are ongoing concerns from the DPW as noted below, staff recommends deferral of this request. With the applicant having addressed the previously noted concerns, staff can now support this request.~~

The request was recommended for denial by the Planning Commission at their September 11, 2025, public hearing because of the unresolved issues related to site drainage and streetscape improvements. ~~The Board of Supervisors deferred this request during their hearing on November 12, 2025, to allow the applicant additional time to provide further information supporting their claim that the site can be properly designed to meet drainage requirements. The Board of Supervisors deferred this request at the applicant's request during their hearing on January 27, 2026, to provide additional time to address DPW's noted drainage concerns.~~

The applicant held a community meeting on June 26, 2025, at the Henrico Theatre. Three adjacent residents attended and discussed topics related to lot and house size, architectural design, lighting, and amenities.

IV. LAND USE ANALYSIS AND IMPLICATIONS:

The 17.5-acre subject property is located on the northwest intersection of Nine Mile Road (State Route 33) and Newbridge Road. The site is undeveloped with the footprint of an old parking pad and is mostly wooded with floodplain located on the eastern portion of the property and wetlands located on the western side.

With the exception of business uses to the east along Nine Mile Road, the adjacent area is predominantly R-3 zoned single-family residential (Bungalow City and Robin Park). To the north is a county water tank, and to the south, across Nine Mile Road, is the New Bridge Learning Center. The applicant is requesting to rezone the subject site from B-3 and R-3 to R-5AC (8.996 acres) and R-

5BC (8.51 acres) General Residence Districts (Conditional) to allow 60 small-lot single-family homes. The proposed gross density would be 3.43 units per acre which, while slightly above the recommended Suburban Residential 2 density of 3.4 units per acre, would be well below the R-5B permitted maximum of 10 units per acre.

A new proffered conceptual plan shows two access points – a right-in / right-out off Nine Mile Road and a connection to Robin Avenue to the north. Internal access to individual residential lots would be from a combination of 50'-wide public roads and private 24'-wide alleys running along the rear of the R-5B lots. Lot widths shown on the layout would meet the minimum 30' width in the R-5B areas and 50' width in the R-5A section. At the eastern extent of the proposed development, a BMP is proposed. The concept plan also indicates the area on the western portion of the site would remain largely undisturbed, with any floodplain portions to be rezoned to C-1, Conservation District. The plan and proffers also identify a Transitional Buffer 10 adjacent to the lot containing the county pump station and water treatment facility, and a 35-foot-wide landscaped buffer (planted to TB25 standards) along Nine Mile Road.

A 5'-wide sidewalk is shown along both sides of the public right-of-way within the development, as well as along the southern edge of the R-5B lots set back 35' from Nine Mile Road. Assurances via the concept plan and proffers have been made related to this frontage including planting a landscaped buffer to TB 25 standards and limiting access to right-in/right-out unless a different design is required by the Virginia Department of Transportation ("VDOT").

In addition to the updated conceptual layout, other major aspects of the applicant's proffers address foundations, driveways, amenities, density, hours of construction, entrance features, and chimneys. A minimum of two amenities would also be provided at each common area as illustrated on the concept plan. Street trees are proffered along each side of the internal street as shown on the Concept Plan.

The Design Guidelines for small-lot single-family developments, included as an amendment to the 2026 Plan, encourage a higher standard of design, attractive streetscapes to soften potential visual repetition, and usable open space. The intention of these guidelines is to address practical spatial requirements while also creating high-quality living environments for individuals. The proffers commit to hardiplank building exteriors along with a list of foundation requirements and architectural elevations depicting numerous home options with a variety of appearances. They also ensure variations of the colors of brick, brick accents, stone siding, and different window designs.

At the Planning Commission's September 11, 2025, meeting an adjacent business owner voiced concerns about drainage and traffic on Nine Mile Road. Following the meeting, the Department of Public Works closely evaluated the subject site and noted that significant drainage improvements may be necessary to allow the site to be developed as proposed. Staff subsequently met with the applicant to discuss this issue, as well as potential improvements to Nine Mile Road. The applicant acknowledged ~~has provided assurances that they are aware of the site's topographical challenges and potential drainage issues and provided an updated concept plan and additional information to address the concerns, on the property related to the site's environmental features and the impact these may have on site drainage. They acknowledge the potential challenges in development and are prepared to address these issues at the time of development.~~

~~DPW has reviewed the newly submitted conceptual plan and supporting information, which includes an expansion of the wet BMP pond to support the site's drainage needs. As currently designed, the BMP does not meet county requirements, and additional calculations related to this have been requested. The mass grading in the new design also does not appear to drain the proposed lots~~

~~properly and is expected to cause future drainage issues. Additionally, although DPW is limited to regulating up to a 10-year storm event, they have expressed concerns regarding the downstream effects of larger storm events under the currently proposed drainage plan for the site. The Department of Public Works has evaluated the updated conceptual plan and supporting documents, which include calculations and exhibits that illustrate the design and capacity of the site drainage including updates to the fill, grading, and BMP, which is now depicted as a dry pond. With this additional substantiation, DPW has confirmed that the applicant has sufficiently addressed their concerns.~~

The 2026 Comprehensive Plan recommends Suburban Residential 2 (SR2), with a recommended maximum density of 3.4 units per acre, and Commercial Arterial. With detached homes and an overall gross density of 3.43 units per acre, the request slightly exceeds the SR2 recommendation by the 2026 Plan. However, the development would be consistent with the 10 units per acre density recommended in the Design Guidelines for Small-Lot Single Family Residential Developments.

The proposed use is generally consistent with the surrounding residential development pattern and the Suburban Residential 2 designation. ~~However, given that the drainage design provided is incomplete and there are ongoing concerns from DPW as noted above, staff recommends deferral of this request.~~ With the applicant having addressed the previously noted concerns and providing additional supporting documents to the satisfaction of DPW, staff can now support this request.

The request was recommended for denial by the Planning Commission at their September 11, 2025, public hearing because of the unresolved issues related to site drainage and streetscape improvements. ~~The Board of Supervisors deferred this request during their hearing on November 12, 2025, to allow the applicant additional time to provide further information supporting their claim that the site can be properly designed to meet drainage requirements.~~ The Board of Supervisors deferred this request during their hearing on January 27, 2026, to allow the applicant additional time to provide further information supporting their claim that the site can be properly designed to meet drainage requirements.

V. COMPREHENSIVE PLAN ANALYSIS:

2026 Comprehensive Plan Recommendation:

The 2026 Comprehensive Plan recommends Suburban Residential 2, where density should not exceed 3.4 units per acre, and Commercial Arterial. While the request is not fully consistent with these designations, the proposed use and density would be generally in keeping with the area's existing residential development pattern.

Vision, Goal, Objectives, and Policies:

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

- Land Use and Community Character Objective 9: The county will promote diverse housing types that meet the needs of a demographically diverse population.
- Land Use and Community Character Objective 10: The county will use development design guidelines and standards to enhance, promote and protect a high-quality community identity and aesthetic.
- Natural, Cultural & Historic Resources Objective 8: The county will encourage protection of natural and historic resources by the private sector.
- Design Guidelines for Small-Lot Single Family Residential Developments Goal: Establishing the appropriate siting of houses within limitations of the zoning regulations having regard for size, architectural style and location within the county.

- Land Use & Community Character Objective 20: The County will promote standards and specifications that assure quality residential development, while providing acceptable alternatives for minimizing development expense.
- Design Guidelines for Small-Lot Single Family Residential Developments 1.2.d Public Realm - Planting Strips and Street Trees: A minimum of one deciduous canopy tree must be provided for each 35 feet of street or sidewalk lot frontage, or fraction thereof

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 60 single-family detached dwellings: Total weekday trips = 570 (285 in, 285 out).

The applicant should ensure the following infrastructure improvements are provided:

- A 5' sidewalk along Nine Mile Road,
- A connection of the proposed main road to Robin Avenue/ Pine Street,
- Left and right turn lanes on Nine Mile Road

Drainage:

DPW has confirmed that the applicant has resolved their previously noted comments related to overall site drainage.

~~DPW Assurance Control has completed its review of the above referenced project and has the following comments:~~

- ~~1. Wet ponds are not allowed in any single-family residential area unless the SWM facility treats runoff from multiple development projects or from a significant portion of a watershed and is designed to be an amenity for the entire subdivision.~~
- ~~2. The perimeter of all pool areas deeper than 18 inches must be surrounded by a safety bench (above the permanent water surface elevation) that is at least 8 feet wide and is no steeper than 20:1. Safety benches are not required if the side slopes are 5:1 or flatter. This includes forebays.~~
- ~~3. SWM facilities must be located outside all transitional or proffered buffer areas or planting strip easements.~~
- ~~4. Any landscaping or screening of the BMP must be done in such a manner that it does not impact or impede maintenance access.~~
- ~~5. As currently shown, offsite drainage on the east side of the BMP is directed along the base of the dam. This is not acceptable and must be collected in storm sewer and piped through the site.~~
- ~~6. Even with the proposed fill, the site remains very flat, and additional fill may be needed to improve fall across the lots. Although a one percent slope is shown, there is concern that construction-related grading changes and settlement may lead to drainage problems.~~
- ~~7. Because of the flat site conditions, there are concerns with the proposed storm sewer pipe slopes and capacities, as well as the hydraulic grade line. Invert elevations and slope information were not included in this submittal.~~
- ~~8. The stormwater calculations generally appear acceptable; however, the review was limited in detail due to the absence of supporting plan information such as invert elevations, pipe slopes, and elevations.~~

- 9. ~~The basin outfall must be tied directly into the receiving system at Nine Mile Rd.~~
- 10. ~~Supporting information must be provided to demonstrate that the 10-year storm draining through the site is adequately conveyed (it must remain within the wetland limits) through the site. Supporting information must include the 10-year storm limits delineation, wetland delineation, cross-sections, and profiles based on field-run topography.~~

Public Utilities:

There is an existing 12" waterline in Nine Mile Road. There is an existing 12" sanitary sewer line in Nine Mile Road.

Community Revitalization:

No comments.

Schools:

This rezoning case proposes the development of up to 60 single family detached residential units.

School Level	School Name	2024 Membership	Functional Capacity	Total Student Yields
Elementary	Ashe	390	548	11.5
Middle	Fairfield	923	1,348	6.7
High	Highland Springs	1,840	2,028	10.1
<i>* At Development Buildout</i>		Total Students:		28.3

Based on September 30, 2024, membership and capacity figures shown above, Ashe Elementary was at 71.2% capacity. The analysis shown above indicates the proposed development would potentially yield an additional 11.5 elementary students once the development has reached complete build out. Ashe Elementary is not currently in danger of being over capacity, however with this development and large-scale developments proposed in the Fairfield and Varina districts, this school will need to be monitored for capacity concerns as these developments reach buildout.

Fairfield Middle was at 68.5% capacity. The analysis shown above indicates the proposed development would potentially yield 6.7 additional middle school students. Fairfield Middle is not currently in danger of being over capacity and is not projected to become over capacity in the next five years.

Highland Springs High was at 90.7% capacity. The analysis shown above indicates the proposed development would potentially yield an additional 10.1 high school students. Highland Springs has fluctuated between 90 -100% capacity over the last five years. Capacity relief measures may need to be considered as this development and other developments proposed for the Fairfield and Varina districts reach buildout. Capacity relief measures could include redistricting, additional learning cottages, programmatic adjustments, and capital improvement projects.

Division of Fire:

No comments.

Division of Police:

No comments.

Recreation and Parks:

No park or recreation facilities, historical, or archeological impact. Informational Note: The parcel falls within the Civil War battlefield area identified by the Virginia Department of Historic Resources as 043-5081 Seven Pines Battlefield-for information only.

Libraries:

This request falls within the service area of the Sandston Branch Library. The Sandston facility is 7,833 square feet. In 2003, a renovation added study rooms and a spacious meeting room. In 2022, Sandston Branch's interior was upgraded including new shelving, carpet, and paint. As these types of developments continue to be built and the population in the area continues to grow, Sandston Branch Library will be able to meet the increased service demands of this request.

Topography and Land Characteristics Adaptability:

The parcel is flat, thereby requiring grading and fill activities to achieve adequate site drainage.

CASE: REZ2025-101722

~~October 28, 2025~~

February 18, 2026

1. **Concept Plan.** The Property shall be developed in general conformance with the concept plans entitled “5900 NINE MILE ROAD CONCEPTUAL LAYOUT”, prepared by Timmons Group, and dated ~~October 27, 2025~~February 18, 2026 (see case file) and attached hereto (the “Concept Plan”). The exact locations, footprints, configurations, size, and details of the lots, drives, roads, 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 design, compliance with governmental regulations or as otherwise approved at the time of subdivision or plan of development review of the Property.
2. **Buffer and Landscaping Requirements.**
 - a. **Overall.** Any buffer within the Property required herein shall be natural and landscaped, including supplemental plantings, signage, berms and other purposes as approved at the time of landscape plan review. Roads, sidewalks, utility easements (including drainage), common owned fencing/walls adjacent to any roads or drives, and signage shall be permitted within such buffer; provided, any such road or new utility easements shall be extended generally perpendicular through such buffer unless otherwise approved at the time of subdivision or plan of development review. All buffers, whether in common area or a lot, shall be maintained by the Association.

a-

- b. **Thirty-Five Foot Setback.** The area of the Property fronting on Nine Mile Road and designated on the Concept Plan as “35’ ADDITIONAL SETBACK” shall be planted at a minimum to the level of a transitional buffer 25.
 - c. **Ten Foot Buffer.** Any lot adjoining the lot containing the County pump station and water treatment facility, currently having a Parcel ID of 817-727-9960, will include a minimum of a 10’ landscaped buffer on the lot planted at a minimum to the level of a transitional buffer 10. This buffer will be maintained by the Association.
 - d. **Street Trees.** Street trees shall be provided along each side of the internal street as shown on the Concept Plan, to meet the requirements of Section 1.2.d of the Design Guidelines for Small-Lot Single Family Residential Developments in the Comprehensive Plan, in locations where not otherwise prohibited by required utilities, drainage structures, easements, intersections sight distance or other conflicts.
3. **Underground Utility Lines.** All proposed utility lines on the Property shall be installed underground, except for existing utilities, junction boxes, meters, utility lines in wetlands areas, and utility lines or structures required to be or typically installed above ground by the utility company.
4. **Best Management Practices.** Best Management Practices 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 subdivision or plan of development review. ~~Any wet pond Best Management Practice shall include an aeration feature.~~
- 4.
5. **Protective Covenants.** Prior to the recordation of the initial subdivision plat approved for the Property, a document setting forth covenants (the "Covenants") shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia (the "County"), setting forth controls on the development and maintenance of the Property and establishing one or more owners' associations (the "Association"). All common amenities and Common Areas shall be maintained by the Association for the benefit of the owners, residents, tenants and their guests.

6. **C-1 Conservation District.** Prior to filing the final subdivision plan, the Owner/Applicant shall apply to rezone any portions of the Property situated within the 100-year floodplain/special flood hazard area to a C-1 Conservation District. The location and limits of such portions of the Property shall be established by definitive surveys approved by the Department of Public Works.
7. **Hours of Construction.** The hours of exterior construction (such as earth moving, grading or land clearing activities) including operation of bulldozers and other earthmoving equipment, shall be between 7:00 a.m. and 7:00 p.m. (or dusk, whichever occurs first), Monday through Friday, and 8:00 a.m. and 7:00 p.m. (or dusk, whichever occurs first) on Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. 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 disturbances activities thereon.
8. **Elevations/Architecture/Conceptual Site Plan.**
 - a. Applicable to all dwellings:
 - i. Various design elements will be incorporated to provide variety among individual units including, but not limited, to the following:
 1. varying colors of brick, brick accents, and stone (including, but not limited to, keystones, soldier courses and accent coloring different from any main brick or stone coloring);
 2. varying colors of siding, and varying window designs; and
 3. no two dwellings adjoining each other side by side or directly across or diagonally across the street from each other shall be identical in exterior architectural features and colors.
 - ii. The exterior walls of all dwellings shall be constructed with hardiplank or an equivalent, or such other materials approved by the Director of Planning.
 - iii. At least thirty percent (30%) of the dwellings shall have covered front porches.
 - iv. All front steps shall be constructed of brick, concrete or such similar material as approved by the County.

- v. Any side façade facing a street right of way shall have at least two (2) windows unless it has a side entry garage and then it will have at least one (1) window.
 - b. Development of dwellings shall be similar to the architectural appearance shown on the renderings on Exhibit B, dated July 16, 2025 (see case file), unless otherwise requested and specifically approved at the time of subdivision or plan of development review or later by the Director of Planning.
- 9. **Density**. There shall be no more than 60 single family detached dwelling units developed on the Property.
- 10. **Foundations**. The exposed exterior portions of all foundations below the first-floor level shall be finished with brick, brick veneer, stone, stone veneer, or cultured stone. 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, or cultured stone visible above grade. For reasons associated with the required site grading, the requirements of this proffer may be modified or waived by the Director of Planning for individual side or rear facades.
- 11. **Chimneys and Cantilevered Features**. No chimneys or gas vent units shall be cantilevered. The exposed portions of all fireplace chimneys shall be of brick, stone, or siding similar to the exterior treatment of the dwelling. The exposed bases of all chimneys shall be of the same material as the dwelling foundation. Architectural features may extend beyond the facade if supported by decorative corbels.
- 12. **Driveways**. All driveways shall be constructed of asphalt, concrete, exposed aggregate material or pavers made of brick, stone or concrete.
- 13. **Entrance Feature**. The entrance to the property from Nine Mile Road shall be designed and complemented with landscaping and a monument entrance feature with decorative fencing around the monument feature (to be vinyl or other material approved at the time of subdivision or plan of development review).
- 14. **Amenities**. Recreational amenities will include, at a minimum, gathering or open areas, as generally shown on the Concept Plan as “COMMON AREA”, unless otherwise approved at the time of subdivision review (each, a “Common Area”). A minimum of two (2) of the following improvements will be provided within each of the Common Areas: one or more benches or other outdoor furniture, a gazebo or pavilion, fire pit, play equipment, landscape patio area, dog park, multi-use field, grilling station, community

garden, pet waste station, or other similar improvements as approved at the time of subdivision review. A trail or walkway will be provided within each such Common Area from an adjacent sidewalk or alley to the amenity within the Common Area.

15. **Development Standards.** Development on the entire Property (including both the R-5AC and R-5B portions of the Property) will comply with (a) the standards set forth in County Code Sections 24-3314(E) 1, 3 and 4 and (b) the existing Design Guidelines for Small-Lot Single Family Residential Developments that are part of the County's Comprehensive Plan and attached hereto, provided garages are not required within the development.
16. **Nine Mile Road Entrance.** The entrance to and from the Property from and to Nine Mile Road will be limited to a right-in/right-out access unless a different design is required by the Virginia Department of Transportation ("VDOT"). Turn lanes will be provided on Nine Mile Road if required by VDOT.
17. **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.



5900 NINE MILE ROAD CONCEPTUAL LAYOUT

February 18, 2026

SCALE 1" = 50'





REZ-2025-101722

4/8/25, 1:25 PM

Two-Story Narrow Lot House Plan with Home Office - 1685 Sq Ft - 500086VV_Architectural Designs - House Plans



REZ-2025-101722

4/8/25, 1:31 PM

Cleverly-Designed Narrow Lot House Plan - 17806LV_Architectural Designs - House Plans



Plan 17806LV

Cleverly-Designed Narrow Lot House Plan

1,582
Heated S.F.

3
Beds

3
Baths

2
Stories



REZ-2025-101722

4/8/25, 1:31 PM

Cleverly-Designed Narrow Lot House Plan - 17806LV_Architectural Designs - House Plans



REZ-2025-101722



REZ-2025-101722



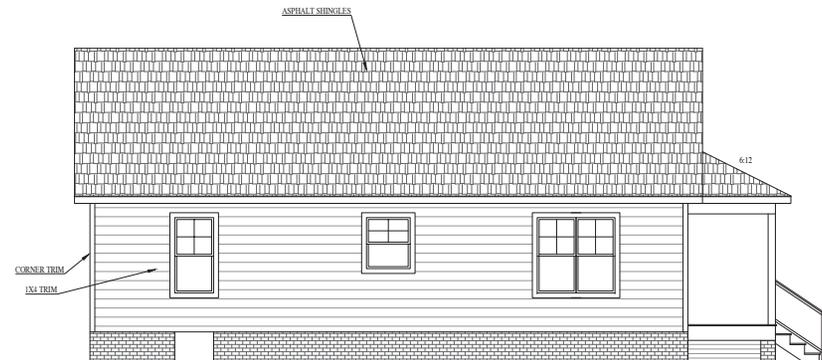
FRONT ELEVATION



RIGHT ELEVATION



LEFT ELEVATION



REAR ELEVATION

3906 ETRICK LANDING DR.

RIVER MILL DEVELOPMENT
RIVERMILLDEVELOPMENT@GMAIL.COM
PHONE: (404) 774-6555

REVISION NOTES

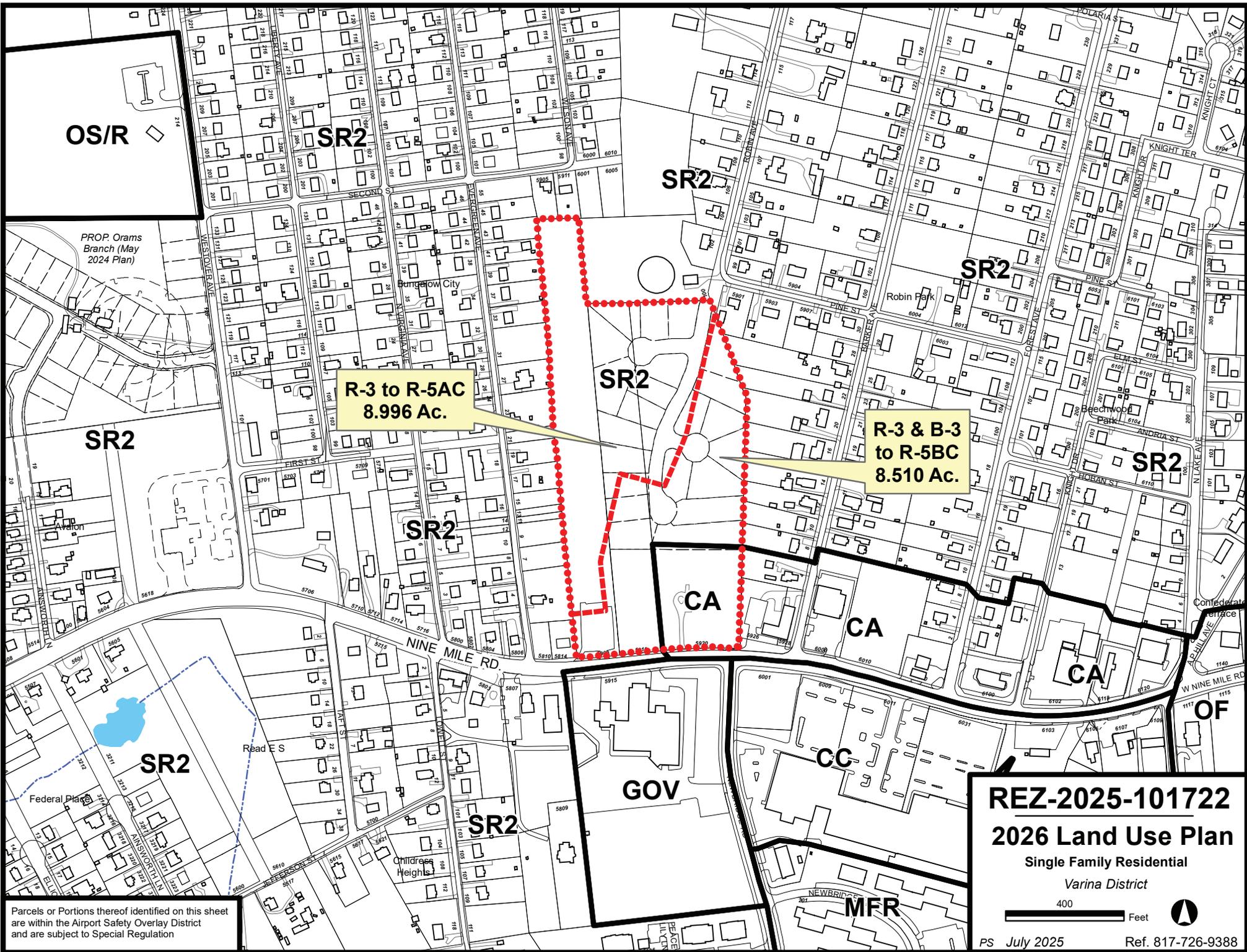
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SCALE:
1/4" = 1'-0"

DATE:
11-01-2023

SHEET:
A2.1





OS/R

SR2

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OF

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MFR

R-3 to R-5AC
8.996 Ac.

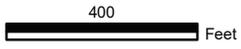
R-3 & B-3
to R-5BC
8.510 Ac.

REZ-2025-101722

2026 Land Use Plan

Single Family Residential

Varina District



PS July 2025

Ref. 817-726-9388

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation