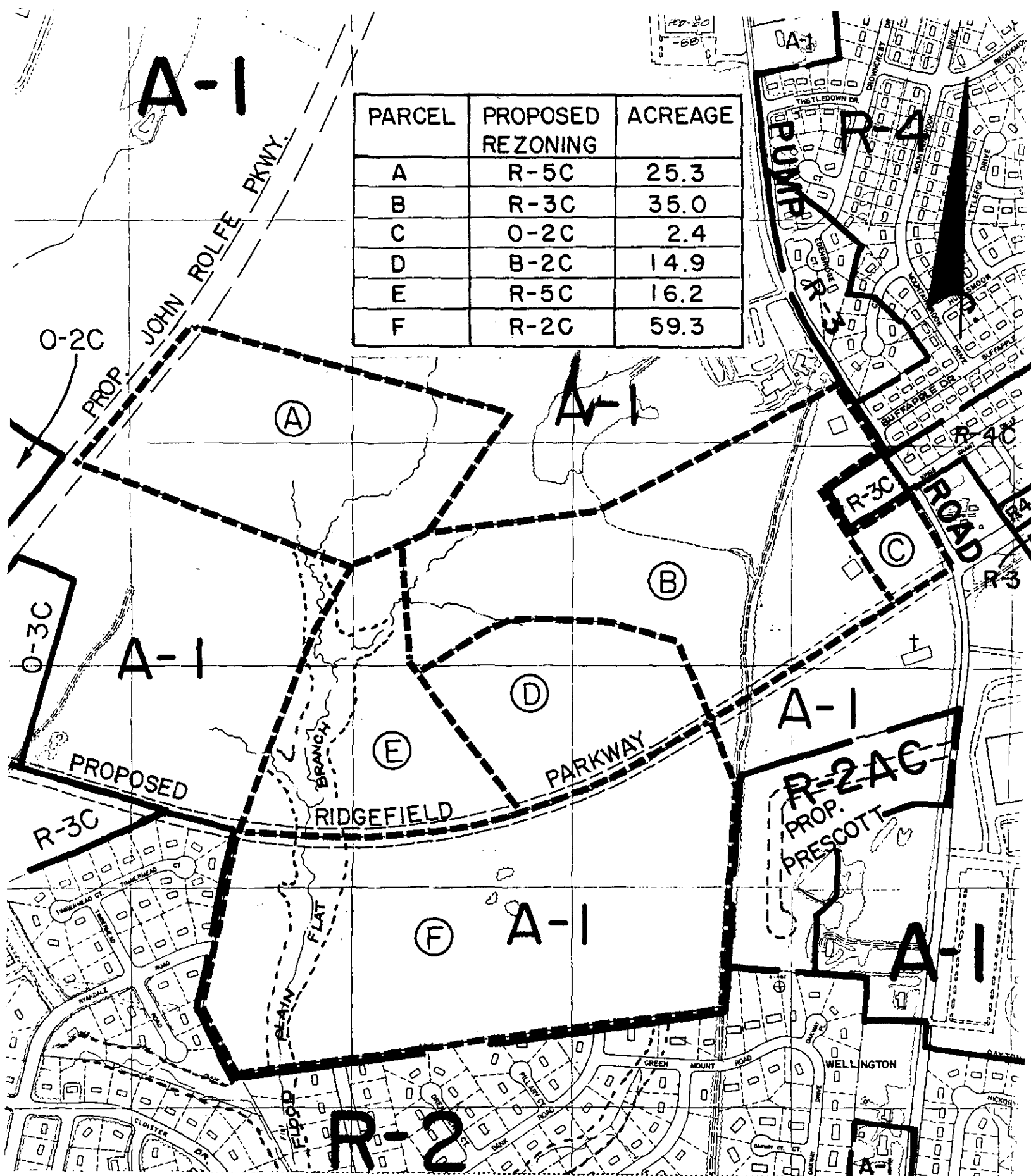


A-1

PARCEL	PROPOSED REZONING	ACREAGE
A	R-5C	25.3
B	R-3C	35.0
C	O-2C	2.4
D	B-2C	14.9
E	R-5C	16.2
F	R-2C	59.3



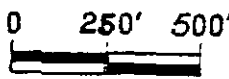
COUNTY OF HENRICO PLANNING OFFICE

PT. 68-A2-1 79-A1-22

TUCKAHOE DISTRICT

MIXED USES

C-32C-89



JAS



COMMONWEALTH OF VIRGINIA
 COUNTY OF HENRICO

W.F. LaVECCHIA, P.E., AICP
 County Manager

May 16, 1989

Re: Conditional Rezoning Case C-32C-89

Paragon Group, Inc.
 2223 Executive Street
 Charlotte, North Carolina 28202

ref. C-15C-91
 ref. C-16C-92
 ref. C-3C-92

Gentlemen:

The Board of Supervisors at its meeting on May 10, granted your request to conditionally rezone property from A-1 Agricultural to R-2C One Family Residence (Conditional), R-3C One Family Residence (Conditional), R-5C General Residence (Conditional), O-2C Office (Conditional), and B-2C Business Districts (Conditional), described as follows:

Part of Parcels 68-A2-1 and 79-A1-22:

Parcel A - R-5C

Beginning at a point along the centerline of the proposed John Rolfe Parkway, said point being 3,058' +- S. of the south line of Church Rd; thence S. 72° 39' 4" E., 1,444.71' to a point; thence S. 34° 47' 31" W., 580.33' to a point; thence S. 66° 2' 48" W., 372.39' to a point; thence N. 67° 11' 26" W., 321.41' to a point, thence N. 70° 3' 11" W., 970.29' to a point; thence N. 40° 2' 33" E., 546.68' to a point; thence along the arc of a curve to the left having a radius of 6,254.5', 237.18', to the point of beginning containing 25.3+-acres.

Parcel B - R-3C

Beginning at a point along the centerline of the proposed Ridgefield Parkway, said point being 301.1' +- W. of the west line of Pump Road, thence along a curve to the right having a radius of 4536.08' and a length of 956.29' to a point; thence N. 23° 01' 19" W., 249.80' to a point; thence continuing along a curve to the left having a radius of 350.00' and a length of 419.35' to a point; thence S. 88° 19' 45" W., 445.51' to a point; thence continuing along a curve to the left having a radius of 300.00' and a length of 223.53' to a point; thence continuing along a curve to the right having a radius of 567.84' and a length of 193.05' to a point, thence S. 65° 07' 03" W., 50.00' to a point, thence continuing along the arc of a curve to the right having a radius of 768.39' and a length of 297.49' to a point; thence N. 2° 41' 59" W., 267.99' to a point; thence N. 66° 02' 48" E., 104.84' to a point, thence N. 83° 46' 08" E., 784.25' to a point, thence N. 60° 44' 54" E., 1209.28' to a point; thence S. 34° 01' 18" E., 381.11' to a point; thence S. 56° 04' 22" W., 348.41' to a point; thence S. 33° 55' 18" E., 581.22' to the point of beginning containing 35.0 +- acres.

Paragon Group, Inc.
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Parcel C - O-2C

Beginning at a point at the intersection of the centerline of the proposed Ridgefield Parkway with the western line of Pump Road; thence along a curve to the right having a radius of 4536.08' and a length of 301.12'; thence N. 33° 55' 18" W., 331.22' to a point; thence N. 56° 04' 22" E., 348.41' to a point; thence continuing along a curve to the right having a radius of 1120.92' and a length of 308.47' to the point of beginning containing 2.4 +- acres.

Parcel D - B-2C

Beginning at a point along the centerline of the proposed Ridgefield Parkway, said point being 1257.41' west of the W. line of Pump Road; thence along the arc of curve to the right having a radius of 4536.08' and a length of 962.70' to a point; thence continuing along a curve to the left having a radius of 875.67' and a length of 184.26' to a point; thence N. 38° 49' 28" W., 277.36' to a point; thence continuing along the arc of a curve to the right having a radius of 768.39' and a length of 186.97' to a point; thence N. 65° 07' 03" E., 50.00' to a point; thence continuing along a curve to the left having a radius of 567.84' and a length of 193.05' to a point; thence continuing along a curve to the right having a radius of 300.00' and a length of 223.53' to a point; thence N. 88° 19' 45" W., 445.51' to a point; thence continuing along a curve to the right having a radius of 350.00' and a length of 419.35' to a point; thence S. 23° 01' 19" E., 249.80' to the point of beginning, containing 14.9 +- acres.

Parcel E - R-5C

Beginning at a point along the centerline of proposed Ridgefield Parkway, said point being 2220+-' west of the W. line of Pump Road; thence along a curve to the right having a radius of 4536.08' and a length of 1137.28' to a point; thence N. 18° 48' 30" E., 886.23' to a point; thence N. 29° 34' 04" E., 290.00' to a point; thence N. 66° 02' 48" E., 267.55' to a point; thence S. 87° 18' 01" W., 267.99' to a point; thence continuing along a curve to the left having a radius of 768.39' and a length of 484.47' to a point; thence S. 38° 49' 28" E., 277.36' to the point of beginning, containing 16.2 acres.

Parcel F - R-2C


Beginning at a point on the centerline of the proposed Ridgefield Parkway, said point being 1204.2 +-' west of the western line of Pump Road; thence S. 25° 52' 32" E., 173.52' to a point; thence S. 3° 34' 45" W., 1141.68' to a point; thence S. 81° 56' 21" W., 2251.84' to a point; thence N. 28° 03' 05" W., 328.72' to a point; thence N. 18° 48' 30" E., 916.62' to a point; thence continuing along a curve to the left having a radius of 4536.08' and a length of 2153.14' to the point of beginning, containing 59.3 acres.

The Board of Supervisors accepted the attached fourteen proffered conditions which further regulate the above described property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance).

Paragon Group, Inc.
Page 3
May 16, 1989

The Planning Office has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered conditions in the Conditional Zoning Index.

Sincerely,

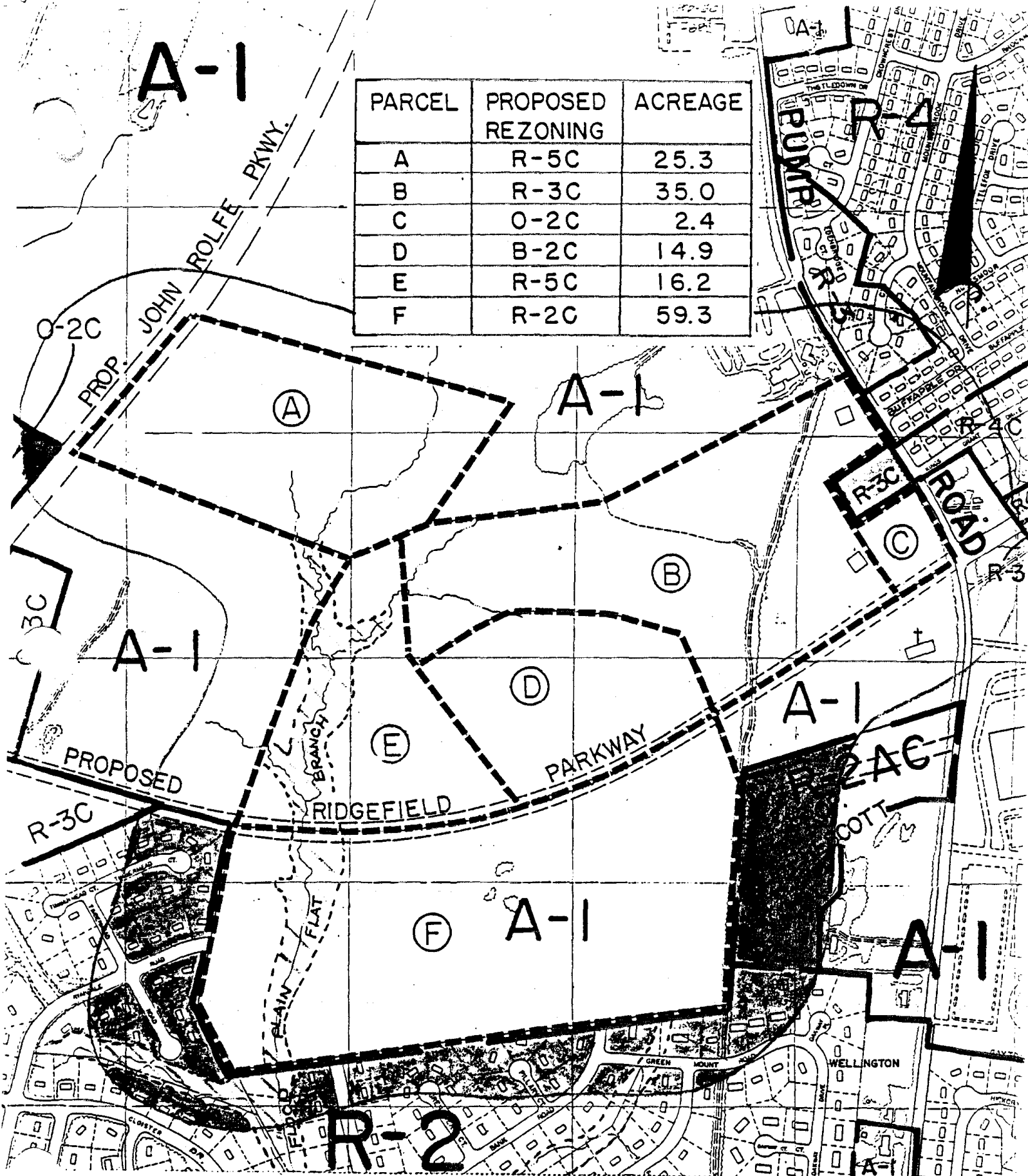

for W. F. LaVecchia, P.E., A.I.C.P.,
County Manager

Attachments:

cc: Clerk, Board of Supervisors
Supervisor, Real Estate Assessment
Conditional Zoning Index
Mr. Jay M. Weinberg
Mr. and Mrs. D. O. Rose
Mr. Darrell Bowman and Earl Thompson, Inc.

A-1

PARCEL	PROPOSED REZONING	ACREAGE
A	R-5C	25.3
B	R-3C	35.0
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F	R-2C	59.3



COUNTY OF HENRICO PLANNING OFFICE

PT. 68-A2-1 79-A1-22

TUCKAHOE DISTRICT

MIXED USES

C-32C-89

0 250' 500'



JAS



PROFFERS FOR CONDITIONAL REZONING

ORIGINAL AMENDED

Pursuant to section 22-121(b) 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:

Glen A. Moore, Attorney In-Fact for March 2, 1989
Signature of Owner or Applicant Owner Date

* If Applicant is other than Owner, Form POF-004-3/87, Special Limited Power of Attorney must be submitted with this application.

C-326-89

Paragon Group

References to parcels herein relate to parcels as shown on the zoning plat last revised on February 28, 1989, filed with the application for rezoning.

1. Right-of-Way Dedication. The areas within the Property needed for the right-of-way for the extension of Ridgefield Parkway, John Rolfe Parkway/288 and Pump Road shall be dedicated at no cost to the County and/or the Virginia Department of Transportation, to provide for the extension of such roadways through the Property, and in the case of Pump Road, for the widening thereof, as determined at the time of Plan of Development approval. The aforesaid dedications shall apply to the above-mentioned streets whether they are given the names mentioned above or any other names.

2. Buffer Areas. (a) Landscaped or natural buffer areas of a minimum of thirty (30) feet in width shall be provided within the Property as set forth below:

- (i) Along the western right-of-way line of Pump Road, within Parcels B and C;
- (ii) Along the northern and southern right-of-way lines of Ridgefield Parkway, within Parcels B, C, D, E and F; and
- (iii) Along the eastern boundary of John Rolfe Parkway, within Parcel A.

Measurement of the aforesaid buffer areas shall be from the right-of-way lines of the respective roadways, as determined at the time of Plan of Development review.

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(b) Utility easements, signage, roads, sidewalks, access drives for major project areas and other purposes required or permitted at the time of subdivision approval and/or Plan of Development review may be permitted within the aforesaid buffer areas, except that any road, driveway or utility easement within any such buffer area shall run generally perpendicular thereto. Where permitted or practicable, areas disturbed for the placement of utilities within buffer areas shall be restored.

(c) Existing vegetation and underbrush may, and fallen, diseased or dead plant growth shall, be removed from such buffer areas, and if so removed, additional plantings shall be added.

(d) Landscaped berms may be located within the aforesaid buffer areas, to enhance the screening effect of the buffer areas, as determined at the time of Landscape Plan review.

3. R-2 Development. (a) Residences on Parcel F, zoned R-2, shall have a minimum of two thousand six hundred (2,600) square feet of finished floor area.

(b) A maximum of three (3) residences may be constructed at the northern terminus of each of Tunbridge Road and North Bank Road. Except to allow access for a maximum of six (6) residences on the Property to the aforesaid roads, no publicly dedicated road shall be extended from Whitaker Woods into Parcel F, unless required by any governmental body having jurisdiction with respect thereto.

(c) The rear yard of any lot abutting the southern boundary of Parcel F shall be a minimum of sixty-five (65) feet in depth. The southernmost twenty (20) feet of any such rear yard (the "Natural Area") shall be maintained in a natural state. Any utility easements within the Natural Area shall be extended generally perpendicular thereto.

(d) The side yard of any lot abutting the southern boundary of Parcel F, adjoining a lot in Whitaker Woods, shall be a minimum of twenty-five (25) feet in width.

(e) No publicly dedicated road shall be constructed in a manner which provides direct vehicular access between Ridgefield Parkway and Whitaker Woods, unless required by any governmental body having jurisdiction with respect thereto.

4. R-3 Development. Residences on Parcel B, zoned R-3, shall have a minimum of two thousand (2,000) square feet of finished floor area. A buffer area of a minimum of twenty-five (25) feet shall be maintained between Parcel B and Parcel C. The aforesaid buffer area may be established on either Parcels B or C, or on a combination thereof. No publically dedicated road

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shall be constructed in any manner which provides direct vehicular access from Parcel B to or from Pump Road, unless required by any governmental body having jurisdiction with respect thereto.

5. R-5 Development. (a) The aggregate density of development on Parcel A, zoned R-5, shall not exceed an average of twelve (12) dwelling units per acre.

(b) Buildings constructed on Parcel A shall not exceed two (2) stories in height, except for "step" buildings (i.e., buildings consisting of two (2) story wings, with three (3) story main (center) sections) which may be three (3) stories in height subject to obtaining a Special Exception. No more than fifty percent (50%) of such step buildings shall be three (3) stories in height. The visible portions of exterior wall surfaces of each building on Parcel A shall be at least one-third (1/3) brick.

(c) The density of development on Parcel E shall not exceed an average of four (4) dwelling units per acre. The visible portions of exterior wall surfaces of each building on Parcel E shall be at least one-third (1/3) brick, unless a lesser percentage is specifically approved at the time of Plan of Development and/or Subdivision review.

(d) Multi-family buildings constructed on Parcel A shall contain fire walls having a two (2) hour non-combustible fire rating.

6. Overall Residential Density Restriction. Notwithstanding any other proffers or provisions to the contrary, the maximum number of residential units which may be constructed on Parcels A, B, E and F shall not exceed four hundred ~~sixty~~ (460) units.

fifty-eight (458) units 3-31-89

7. Driveway Restrictions. Except for access drives for major project areas, no driveways serving individual dwellings shall have direct access to Pump Road, Ridgefield Parkway or John Rolfe Parkway.

8. Foundations. The visible portions of exterior detached or attached residence foundations shall be constructed of brick, stone or finished stucco.

9. Clearing. To the extent reasonably practicable during initial development, the clearing of mature trees on single-family residential lots shall be limited to trees and areas required to accommodate the residence and its normal and customary accessories, open yard areas and those limited areas required to permit utility services and driveways.

10. Protective Covenants. Prior to or concurrent with the recordation of a subdivision plat approved by the County and

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ACCEPTED BY THE
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MAY 10, 1989

C-32C-89
AMENDED
3-31-89

before the conveyance of any portion of the Property covered by said subdivision plat (other than for the dedication of easements, roads or utilities), there shall be recorded a document in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of such portions of the Property.

11. Phasing Plan. Certificates of Occupancy shall not be granted for more than two hundred fifty (250) residential units on the Property per year from the date of final action by the Board of Supervisors, except as provided in the next sentence. Certificates of Occupancy for up to three hundred fifty (350) residential units per year shall be available during a given year to the extent that in prior years, cumulatively, Certificates of Occupancy have been issued for fewer than two hundred fifty (250) residential units per year.

12. Conservation Areas. Notwithstanding the uses permitted and regulated by the zoning of the Property, such portion(s) of the Property which lie within a one hundred (100) year flood plain as determined by definitive engineering studies approved by the Department of Public Works; and/or such portion(s) of the Property which may be inundated by waters impounded to a maximum elevation determined in a controlled, regulated manner by a structure or structures approved by the Department of Public Works, may only be used for the following purposes:

- (a) Storm water management and/or detention areas.
- (b) Ponds, lakes and similar areas intended as aesthetic and/or recreational amenities and/or wildlife habitats.
- (c) Access drives, walkways and recreational amenities installed in a manner to minimize their impacts.
- (d) Such additional uses to the uses identified in (a), (b) and (c) above, as may be deemed compatible and of the same general character by the Planning Administrator (Director of Planning) pursuant to Chapters 19 and 22 of the County Code (the "Zoning Ordinance").

The location and limits of such portion(s) of said Property shall be established by Plan(s) of Development approved pursuant to Section 22-106 of the Zoning Ordinance.

13. Nonresidential Development. The following proffered conditions shall be applicable to Parcels C and D in addition to the foregoing proffered conditions:

- (a) Phasing. No Certificate of Occupancy shall be issued for development on Parcel D, until Ridgefield Parkway is completed from Pump Road to the western boundary of Parcel D, to serve development thereon.

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7,850
(b) Density. The density of development on Parcel D shall not exceed an average density of ~~eight thousand~~ ^{seven} ~~four~~ hundred ^{eighty} ~~four~~ (8,400) square feet per acre.

(c) Architecture. Buildings constructed on Parcel C shall be residential in character. No parking spaces on Parcel C shall be located between Pump Road and the side of a principal building most directly facing Pump Road.

(d) Exterior Materials. The exposed portion of each exterior wall surface (front, rear and sides) of each building constructed on Parcel D shall be similar to the exposed portion of other exterior wall surfaces of such building in architectural treatment and materials, unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall surface at the time of Plan of Development review. No exposed portion of any exterior wall surface shall consist of untreated or painted cinder block.

(e) Parking Lot Landscaping. The parking lots serving Parcel C shall be landscaped at least to the landscaping standards required in a B-2 business district, determined at the time of Landscape Plan review, including but not limited to the planting of shrubbery and/or trees in raised islands located within such parking lot or between parking rows. Landscaped areas in such parking lots shall be irrigated.

(f) Parking Lot Lighting. Parking lot lighting standards in Parcel D shall not exceed twenty-five (25) feet in height and in Parcel C shall not exceed twenty (20) feet in height, and parking lot lighting shall be provided by concealed sources of light. Parking lot lighting shall be reduced to no more than a security level following the close of business operations on the Property.

(g) HVAC. Roof top heating and air conditioning equipment on Parcels C and D shall be screened from public view at ground level, in a manner approved at the time of Plan of Development review.

(h) Trash Receptacles. Trash receptacles on Parcels C and D shall be screened from public view at ground level, in a manner approved at the time of Plan of Development review.

JW
14. Pedestrian and Bicycle Access. ~~The desirability and/or need for~~ pedestrian and bicycle access ways will be given consideration during the design phase and at the time of Plan of Development and/or Subdivision approval.

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ACCEPTED BY THE
BOARD OF SUPERVISORS
MAY 10, 1989