

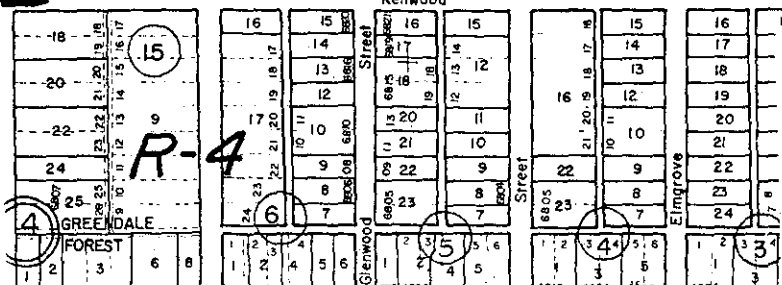
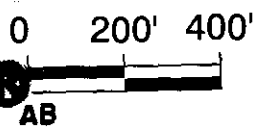
TOWNHOUSES,
ASSISTED LIVING AND OFFICES

C-53C-00

82-A-14 thru 18 & 20 / 82-7-A-2 & 9

BROOKLAND DISTRICT

HENRICO COUNTY PLANNING OFFICE





COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

February 20, 2001

Virgil R. Hazelett, P.E.
County Manager

Re: Conditional Rezoning Case C-53C-00

Mr. Henry L. Wilton
Wilton Development Corp.
6405-G Dickens Place
Richmond, VA 23230

Dear Mr. Wilton:

The Board of Supervisors at its meeting on February 13, 2001, granted your request to conditionally rezone property from R-4 One Family Residence District to RTHC Residential Townhouse District (Conditional), R-5C General Residence District (Conditional) and O-2C Office District (Conditional), Parcels 82-A-14 through 18 & 20 and Parcels 82-7-A-2 & 9, described as follows:

Beginning at a point on the Western right-of-way line of Staples Mill Road, said point being located approximately 1000 feet North of the intersection of said Staples Mill Road and Glenside Drive and is on the northern right-of-way of Dublin Street. Thence departing the said right-of-way of said Staples Mill Road along the northern right-of-way of said Dublin Street, South $76^{\circ}01'35''$ West 266.04 Feet to a point. Thence crossing said Dublin Street and along the land now or formerly of SCK Inc., South $13^{\circ}58'25''$ East 180.00 Feet to a point on the Northern side of a 16 foot alley. Thence along the northern side of the said 16 foot alley, South $76^{\circ}01'35''$ West 450.00 Feet to a point. Thence departing the said alley along the land now or formerly of Hugh T. Ball, North $13^{\circ}58'25''$ West 150.00 Feet to a point on the southern right-of-way line of Dublin Street. Thence along the southern right-of-way of said Dublin Street, South $76^{\circ}01'35''$ West 72.98 Feet to a point. Thence crossing said Dublin Street and along the land now or formerly of the County of Henrico, North $08^{\circ}04'10''$ West 50.48 Feet to a point. Thence along the land now or formerly of the said County of Henrico the following courses and distances: South $76^{\circ}44'10''$ West 244.51 Feet to a point. Thence South $83^{\circ}41'30''$ West 65.72 Feet to a point. Thence South $83^{\circ}52'53''$ West 174.43 Feet to a point. Thence South $06^{\circ}18'30''$ East 614.18 Feet to a point in the Northern right-of-way of Glenside Drive. Thence along the Northern right-of-way of said Glenside Drive, North $87^{\circ}37'00''$ West 308.86 Feet to a point, Thence departing the said right-of-way of Glenside Drive along the land now or formerly of Helen M. Holland the following courses and distances: North $06^{\circ}18'30''$ West 102.17 Feet to a point. Thence South $84^{\circ}41'30''$ West 67.46 Feet to a point. Thence. North $06^{\circ}18'30''$ West 549.08 Feet to a point. Thence North $84^{\circ}41'10''$ East 46.90' to a point.

Thence North 06°-18-30" West 525.09 Feet to a point in the Southern right-of-way of Tatum Boulevard. Thence along the Southern right-of-way of said Tatum Boulevard the following courses and distances: North 81°-45'13" East 252.56 Feet to a point. Thence North 81°-45'-30" East 537.95 Feet to a point. Thence North 08°-04'-10" West 26.05 Feet to a point. Thence North 83°-38'-05" East 681.45 Feet to a point in the Western right-of-way of Staples Mill Road. Thence along the Western right-of-way of said Staples Mill Road on a curve to the right with a radius of 1067.92 Feet, a central angle of 2-27-13 and an arc length of 45.73 Feet to a point. Thence continuing along the right-of-way of said Staples Mill Road, South 18°-17'-25" East 515.76 Feet to the point of beginning and containing approximately 28.4 acres.

The Board of Supervisors accepted the following proffered conditions, dated February 12, 2001, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

Summary of Proffers: RTHC (1 - 17a), R-5C (18 - 31) & O-2C (32 - 47)

RTHC Portion of the Property:

1. Minimum Unit Size: The units shall be at least 1,700 square feet of finished floor area.
2. Density: The maximum density of the RTHC portion of the Property shall not exceed 6.25 units per acre.
3. Townhomes with First Floor Master Bedrooms: A minimum of twenty-five (25) percent of the units shall have first floor master bedrooms.
4. Architectural Treatment: All exposed foundations of each unit shall be of brick. There shall be no cantilevered chimneys or closets
- 4a. Sound Suppression: Walls between units shall have a minimum sound transmission coefficient rating of 55.
5. Building Materials: At least fifty percent of the front facade of each building shall be brick. The side of any end unit facing the parking area or any public or private road shall be brick and have a window or other architectural feature to break up the visual mass.
6. Roads: All roads to be constructed in the development shall be privately maintained but shall be constructed in accordance with the County of Henrico's Public Road Standards and Specifications with respect to pavement design.

RTHC Portion of the Property:

7. **Sidewalks:** Sidewalks shall be provided adjacent to all interior roads and along Glenside Drive and shall be constructed to the County of Henrico's Standards and Specifications for sidewalks. These sidewalks shall not be part of an individual lot.

8. **Landscaped Buffers:** There shall be a fifty (50) foot landscaped buffer provided adjacent to the ultimate right-of-way line of Glenside Drive. The landscaping within the fifty (50) foot buffer shall at a minimum meet the Henrico County fifty (50) foot transitional buffer standards. Exceptions allowed within the greenbelt area shall include utility easements, signage, fences, entrance roads to the project, and other purposes requested and specifically permitted or required by the Planning Commission at the time of POD approval. Any fence within the buffer shall be at least 25 feet from the right-of-way of Glenside Drive. All utilities shall run generally perpendicular to the buffer area.

- 8a. **Buffer:** There shall be a twenty-five (25) foot buffer surrounding the RTHC portion of the Property except along Glenside Drive and Parcel 82-A-12 if rezoned to RTHC. To the extent possible, trees shall be preserved within this buffer. All utilities shall run generally perpendicular to the buffer area.

- 8b. **Fence:** There shall be a black chain link fence with gates adjacent to the twenty-five (25) foot buffer surrounding the RTHC portion of the Property except along Glenside Drive, adjacent to the Park & Ride Facility, and adjacent to Parcel 82-A-12. If Parcel 82-A-12 is not rezoned to RTHC and included with this development within two (2) years after rezoning approval, a chain link fence shall also be installed along that property line. A fence would not be required adjacent to the R-5C portion of the Property if developed as townhouses.

- 8c. **Entrance Feature:** There shall be a landscaped entrance on Glenside Drive with brick columns every twenty (20) feet attached by a black wrought iron style fence.

- 8d. **Fence and Landscaping Adjacent to the Park & Ride:** There shall be a six (6) foot privacy fence twenty-five (25) feet from the property line adjacent to the Park & Ride. Additional landscaping shall be provided within the twenty-five (25) foot buffer adjacent to the Park & Ride where needed. Any additional landscaping within the buffer shall at a minimum meet the Henrico County twenty-five (25) foot transitional buffer standards. Exceptions allowed within the buffer area shall include utility easements, fences, entrance roads to the project, and other purposes requested and specifically permitted or required by

RTHC Portion of the Property:

the Planning Commission at the time of POD approval. All utilities shall run generally perpendicular to all buffer areas.

9. **Recreational Areas:** Recreational areas shall be provided as illustrated on Exhibit A by Bay Design dated December 27, 2000.
10. **Driveways:** Driveways shall not be part of individual lots unless they are serving a garage.
11. **Parking:** A minimum of 2.25 parking spaces per unit shall be provided. None of the spaces shall be designed to back onto public roads.
12. **Lighting Standards:** Parking lot lighting shall be provided. Parking light lighting shall be a maximum of fifteen (15) feet and directed to minimize glare on public roads and adjacent properties.
13. **Underground Utilities:** Except for junction boxes, meters, existing overhead utility lines, and technical and environmental reasons, all utilities shall be underground.
14. **Restrictive Covenants/Homeowners Association** Prior to or concurrent with the conveyance of any part of the Property covered on the Plan of Development approved by the County, restrictive covenants describing development controls and maintenance of the property shall be recorded in the Clerk's Office of the Circuit Court of Henrico County. In addition, there shall be a Homeowners Association of the owners of units on the property that shall be responsible for the enforcement of the restrictive covenants, including maintenance of the lots, commons areas, roads, and unit exteriors. Parking of recreational vehicles, boats, trailers or campers shall be prohibited in the development.
15. **Irrigation:** Landscaped entrance buffer areas shall be served by an underground irrigation system.
16. **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 any of the other proffers or the unaffected part of any such proffer.
17. **Conceptual Plan:** The site shall be developed in substantial conformance with the Conceptual Plan "Exhibit A" by Bay Design dated December 27, 2000 with revisions as approved during subdivision review by the Planning Commission.

RTHC Portion of the Property:

- 17a. **BMP:** If Henrico County determines a "wet" BMP is appropriate for the site, the BMP shall be incorporated as a water feature.

R-5C Portion of the Property

18. **Use Restrictions:** The only uses permitted on the R-5C portion of the Property shall be for an assisted living care facility or a continuation of the Townhouses for sale identical to the density and proffered conditions of the RTHC portion of the Property.
- 18a. **Access Limitations:** If the Property is developed as an assisted living care facility, access to the site shall be from Staples Mill Road through the office development. If the Property is developed as townhouses for sale, access to the site shall be from a connection to Crockett Street or as approved during POD review by the Planning Commission.
19. **Landscaped Buffer:** There shall be a thirty (30) foot buffer between the RTHC and R-5C portions of the Property if that portion of the Property is developed as assisted living. The landscaping within the thirty (30) foot buffer shall at a minimum meet the Henrico County twenty-five (25) foot transitional buffer standards. All utilities shall run generally perpendicular to the buffer area.
20. **Detached Signage:** Any detached signage shall be monumental in style and shall not exceed eight (8) feet in height
21. **Sidewalks:** A sidewalk shall be provided that connects the three portions of the Property to Staples Mill Road.
22. **Hours of Construction:** Hours of construction shall be limited to 7:00 a.m. to 8:00 p.m. Monday through Saturday. There shall be no construction on Sundays.
23. **Building Height:** The maximum height of the building shall not exceed a three (3) story maximum.
24. **Underground Utilities:** Except for junction boxes, meters, existing overhead utility lines, and technical and environmental reasons, all utilities shall be underground.
25. **Architectural Treatment:** The exposed portion of each exterior wall surface of any building constructed on the R-5C portion of the Property for an assisted living facility (excluding rooftop screening materials of mechanical equipment) shall be brick except for windows, doorways and trim.

R-5C Portion of the Property

26. **Parking Lot Lighting:** Parking lot lighting standards shall not exceed twenty (20) feet in height above grade level. Parking lot lighting fixtures shall be positioned horizontally and in such a manner as to minimize the impact of such lighting on any adjacent property. Light fixtures shall be of the type that conceals the direct source of light (such as "shoe box" type fixtures).
27. **HVAC:** Any rooftop heating and air conditioning equipment shall be screened from public view at ground level at the property lines by means of parapets or other architectural features in a manner approved at the time of Plan of Development review.
28. **Irrigation:** Landscaped entrance buffer areas shall be served by an underground irrigation system.
29. **Central Trash Receptacles/Hours of Pick-Up:** Central trash receptacles, not including convenience cans, shall be screened from public view at ground level in a manner approved at the time of Plan of Development review. Trash pick-up from the site shall be limited to the hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday. There shall no trash pickup on Sundays.
30. **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 any of the other proffers or the unaffected part of any such proffer.
31. **Conceptual Plan:** The site shall be developed in substantial conformance with the Conceptual Plan "Exhibit A" by Bay Design dated December 27, 2000 with revisions as approved during subdivision review by the Planning Commission.

O-2C Portion of the Property:

32. **Loudspeakers:** No outside loudspeakers or pagers shall be permitted on the Property; however, an intercom system associated with a pick-up/drop-off window shall be permitted. No external alarm bells or external warning devices shall be permitted.
33. **Buffer:** There shall be a twenty-five (25) foot landscaped buffer between the O-2C and R-5C portions of the Property. To the extent possible, trees shall be preserved within this buffer. All utilities shall run generally perpendicular to the buffer area.

- 33a. Building Setback: No building shall be closer than fifty (50) feet from the right-of-way line of Staple Mills Road.
- 33b. Landscaped Buffer A thirty-five (35) foot landscaped greenbelt shall be provided adjacent to the ultimate right-of-way line of Staples Mill Road. The landscaping shall at a minimum meet the Henrico County thirty-five (35) foot transitional buffer standards. Exceptions allowed within the buffer area shall include utility easements, signage, fences, entrance roads to the project, and other purposes requested and specifically permitted or required by the Planning Commission at the time of POD approval. All utilities shall run generally perpendicular to the buffer area.
34. Architectural Treatment: The exposed portion of each exterior wall surface of any building constructed on the O-2C portion of the Property (excluding rooftop screening materials of mechanical equipment) shall be brick except for windows, doors and trim or as approved during POD review by the Planning Commission.
35. Parking Lot Lighting: Parking lot lighting standards shall not exceed twenty (20) feet in height above grade level. Parking lot lighting fixtures shall be positioned horizontally and in such a manner as to minimize the impact of such lighting on any adjacent property. Light fixtures shall be of the type that conceals the direct source of light (such as "shoe box" type fixtures).
36. HVAC: Any rooftop heating and air conditioning equipment shall be screened from public view at ground level at the property lines by means of parapets or other architectural features in a manner approved at the time of Plan of Development review.
37. Irrigation: Landscaped entrance buffer areas shall be served by an underground irrigation system.
38. Central Trash Receptacles/Hours of Pick-Up: Central trash receptacles, not including convenience cans, shall be screened from public view at ground level in a manner approved at the time of Plan of Development review. Trash pick-up from the site shall be limited to the hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday. There shall no trash pickup on Sundays.
39. Hours of Construction: Hours of construction shall be limited to 7:00 a.m. to 8:00 p.m. Monday through Saturday. There shall be no construction on Sundays.

O-2C Portion of the Property:

40. **Underground Utilities:** Except for junction boxes, meters, existing overhead utility lines, and technical and environmental reasons, all utilities shall be underground.
41. **Detached Signage:** Any detached signage shall be monumental in style and shall not exceed eight (8) feet in height and shall be illuminated from the interior of the sign.
42. **Use Restrictions on the O-2C Portion of the Property:** The following uses shall be restricted from the O-2C portion of the Property:
 - a) Funeral home or undertaking establishment provided all hearses, or other special vehicles are parked or stored inside a completely enclosed building.
 - b) Radio and television broadcasting stations.
 - c) General hospitals, sanitoriums and charitable institutions for human care; provided, that any such use shall have a minimum lot area of five acres.
 - d) One cremation unit to serve funerals conducted by the operator of the funeral chapel and to be used for the cremation of dead human bodies.
 - e) A recycling collection facility operated by a not-for-profit or tax-exempt organization for a period not to exceed 30 days within any six-month period pursuant to a permit to be obtained from the director of planning or the director's designee.
43. **Sidewalks:** A sidewalk shall be provided that connects the three portions of the Property to Staples Mill Road.
44. **Building Height:** The maximum height of any building shall not exceed 3 stories.
45. **Conceptual Plan:** The site shall be developed in substantial conformance with the Conceptual Plan "Exhibit A" by Bay Design dated December 27, 2000 with revisions as approved during subdivision review by the Planning Commission.
46. **Access from Staples Mill Road:** There shall be one joint entrance on Staples Mill Road at the break in the median across from the Amtrak Entrance for both the O-2C and the R-5C (if the R-5C is developed as assisted living).
47. **Severance:** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, shall not affect the validity or


Mr. Henry L. Wilton
February 20, 2001

9

enforceability of any of the other proffers or the unaffected part of any such proffer.

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,


Virgil R. Hazelett, P.E.,
County Manager

cc: Director, Real Estate Assessment
Conditional Zoning Index
Mr. Richard E. Holland, Jr.

