

A-1

A-1 to RTHC
3.75 Acres

ZONING
RESIDENTIAL TOWNHOUSE
DEVELOPMENT

C-37C-03
Brookland District

Ref. 755-762-0241

August 2003

0 400 Feet



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

September 16, 2003

Mr. Kenneth E. Mills, Jr.
9304 Gayton Road
Richmond, VA 23229

Re: Conditional Rezoning Case C-37C-03

Dear Mr. Mills:

The Board of Supervisors at its meeting on September 9, 2003, granted your request to conditionally rezone property from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional), Parcel 755-762-0241, described as follows:

Beginning at a point in the east line of Springfield Road, State Route 157, said point being 1050'± north of the north line of Hungary Road; thence from said point of beginning continuing along the east line of Springfield Road N6°42'W, a distance of 298' to a point; thence leaving Springfield Road S89°17'07"E, a distance of 534' to a point; thence S74°17'51"E, a distance of 410.53' to a point; thence S78°42'52"W, a distance of 912' to a point in the east line of Springfield Road and the point of beginning, containing 3.75± acres.

The Board of Supervisors accepted the following proffered conditions, dated August 14, 2003, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Minimum Unit Size:** The minimum dwelling unit sizes (finished floor area) shall be 1,700 square feet.
2. **Architectural Treatment:** All exposed foundations of each dwelling unit shall be of brick. There shall be no cantilevered chimneys or closets.
3. **Clearing Limitation:** Where applicable, the clearing of trees shall be limited to areas necessary for dwellings, driveways, utilities, entrance features, road improvements or common areas.
4. **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.

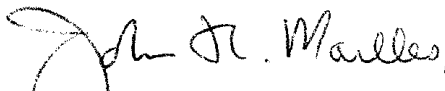
5. **Sidewalks**: At least one sidewalk shall be provided adjacent to all interior roads and shall be constructed to the County of Henrico's Standards and Specifications for sidewalks. These sidewalks shall not be part of an individual lot.
6. **Density**: The number of dwellings to be constructed on-site shall not exceed six (6) units per acre exclusive of floodplain areas.
7. **Building Materials**: At least fifty percent of the front façade 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.
8. **Parking Spaces**: A minimum of 2.25 parking spaces per unit shall be provided.
9. **Lighting Standards**: Parking lot lighting shall be provided. Parking light lighting shall be a maximum of fifteen (15) feet in height and directed to minimize glare on public roads and adjacent properties.
10. **Landscaped Buffer Springfield Road**: A fifty (50) foot landscaped buffer shall be provided adjacent to the ultimate right-of-way line of Springfield Road. 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 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. Any fencing within the buffer shall not exceed forty-two (42) inches in height unless of finished masonry and shall be at least twenty-five (25) feet from the ultimate right-of-way line of Springfield Road. All utilities shall run generally perpendicular to all buffer areas.
11. **Sound Suppression**: Walls between units shall have a minimum sound transmission coefficient rating of 55.
12. **Underground Utilities**: Except for junction boxes, meters, existing overhead utilities lines and technical and environmental reasons, all utilities shall be underground.
13. **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, common areas, roads, and unit exteriors. The covenants shall also include development standards for the

community including 25-year dimensional shingles, brick and vinyl siding, and hard surface driveways. Parking of recreational vehicles, boats and campers shall be prohibited in the development.

14. **Access Limitation**: There shall be no direct access from any unit to Springfield Road.
15. **Buffer**: There shall be a twenty-five (25) foot buffer along the northern property line. To the extent possible, trees shall be preserved within the buffer. All utilities shall run generally perpendicular to all buffer areas.
16. **Setbacks**: There shall be a fifty (50) foot building setback from the ultimate right-of-way line adjacent to Springfield Road. This setback is not in addition to existing setback requirements.
17. **Recreation Areas**: There shall be a minimum of 250 square feet per unit of recreational area provided within the development or the property developed per zoning case C-80C-00 which is the adjacent Meredith Creek property.
18. **Conservation Zoning**: Prior to final construction plan approval, an application shall be filed to rezone all RPA and 100 year floodplain acres not located within lots, roads, or BMP areas to C-1 Conservation District.
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 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

pc: Mr. James T. Mills
Ms. Karen Mills DeJarnette
Mr. Keith A. Mills
Mr. Ralph L. Axselle, Jr., Esquire
Mr. Andrew M. Conclin, Esquire
Director, Real Estate Assessment
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