

R-1C to RTHC  
10.328 Ac.

**ZONING**  
RESIDENTIAL  
TOWNHOUSES

**C-68C-03**  
Fairfield District

December 2003  
Parcels or Portions thereof identified on this  
sheet are within the Airport Safety Overlay  
District and are subject to Special Regulations

Ref. 808-731-7728

0 400 Feet



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

March 30, 2004

Virgil R. Hazelett, P.E.  
County Manager

Mr. F. Philip Parker, Jr.  
Atack Properties, Inc.  
4191 Innslake Drive, Suite 118  
Glen Allen, VA 23060

Re: Conditional Rezoning Case C-68C-03

Dear Mr. Parker:

The Board of Supervisors at its meeting on March 23, 2004, granted your request to conditionally rezone property from R-1C One Family Residence District (Conditional) to RTHC Residential Townhouse District (Conditional), Parcel 808-731-7728, described as follows:

Beginning at a point on the east line of Laburnum Avenue, said point being 1,165'± north of the centerline of Creighton Road, and being the point of beginning; thence, from said point of beginning continuing along the east line of Laburnum Avenue N23°56'00"W, 540.39' to a point; thence leaving the east line of Laburnum Avenue along the southern line of Watts Lane N66°04'00"E, 25.93' to a point; thence along a curve to the right with a radius of 259.08' and length of 126.26' to a point; thence S86°00'40"E, 304.89' to a point; thence N3°59'20"E, 60' to a point; thence S86°00'40"E, 215.11' to a point; thence along a curve to the right with a radius of 390.59' and length of 149.79' to a point; thence S64°02'20"E, 90.01' to a point; thence along a curve to the left with a radius of 409.55' and length of 129.36' to a point; thence S82°08'11"E, 267.11' to a point on the west line of Harvie Road; thence continuing along the west line of Harvie Road S4°14'40"W, 60.12' to a point; thence leaving the west line of Harvie Road N82°08'10"W, 418' to a point; thence S4°00'10"W, 480.69' to a point; thence N82°08'10"W, 616.84' to the point of beginning, containing 10.328 acres, more or less.

The Board of Supervisors accepted the following proffered conditions, dated March 22, 2004, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Laburnum Avenue Buffer** – A 25' landscape buffer, to include fencing, along Laburnum Avenue shall be planted substantially in conformance with the plantings shown on the Illustrative Buffer/Screening Plan prepared by Higgins & Gerstenmaier dated January 5, 2004, attached hereto as EXHIBIT A (see case file), and shall meet the planting requirements of the Transitional Buffer 35 as

currently defined, unless requested and approved by the Director of Planning at the time of Plan of Development Review. Such proposed landscaping and fencing shall be maintained by the Homeowner's Association as part of the normal maintenance of the common areas.

2. **Watt's Lane Buffer** – A 25' landscape buffer shall be planted along the southern right of way line of Watt's Lane from its intersection with Laburnum Avenue to the western boundary line of parcel 808-731-2137 and shall meet the requirements of the Transitional Buffer 25.
3. **Screening** – An opaque privacy fence of vinyl or pressure treated wood, six (6') feet in height, shall be installed along the eastern and southern boundary lines of the Property.
4. **Architectural Treatment** – Various design elements will be incorporated to provide variety among individual units. Such design elements may include, but not be limited to the following: varying colors of brick, brick accents, varying colors of siding, varying window designs and varying doorway designs. All exposed foundations of each unit shall be of brick or stone. Exposed portions of exterior walls above the foundations shall be finished with brick, stone, wood E.I.F.S., cementitious, vinyl or composite-type siding, 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. Front elevations of each building shall consist of a minimum of 50% in the aggregate brick or stone exclusive of windows, doors, dormers, breezeways and architectural design features. There shall be no cantilevered chimneys closets or bay windows. Exterior materials of garages shall be comparable to the exterior building materials and approved at the time of Plan of Development review.
5. **Architectural Rendering** – The building shall be developed in substantial conformance to the Illustrative Townhouse Renderings prepared by McAllister + Foltz Architecture, P.C. attached hereto as EXHIBIT B and EXHIBIT C (see case file), unless requested and approved by the Director of Planning at the time of Plan of Development Review.
6. **Mechanical Equipment** – Mechanical equipment shall be screened from public view at ground level in a manner approved by the Director of Planning at the time of Landscape Plan approval. Screening material will be a minimum of 6" higher than the mechanical equipment.
7. **Restrictive Covenants/Homeowners Association** – Prior to or concurrent with the conveyance 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.

8. **Minimum Unit Size** – The minimum unit sizes (finished floor area) shall be 1,200 square feet. A minimum of 30% of the units shall have a minimum of 1,400 square feet.
9. **Maximum Number of Units** – There shall be no more than 78 units developed on the Property. No more than six (6) units per building shall be allowed.
10. **Clearing Limitation** – Where practicable, the clearing of trees shall be limited to areas necessary for dwellings, driveways, utilities, entrance features, road improvements, drainage requirements, or when necessary for common areas.
11. **Sidewalks** – A sidewalk shall be provided adjacent to interior roadways and parking areas and shall be constructed to current County road standards and specifications for sidewalks. A sidewalk shall also be installed along the Laburnum Avenue frontage of the Property.
12. **Yards** – Front and side yards shall be sodded, and irrigated, exclusive of mulched flowerbeds and landscaping.
13. **Foundation Planting** – Building foundation planting shall be in substantial conformance with EXHIBIT E (see case file) unless requested and approved by the Director of Planning at the time of Plan of Development review.
14. **Lighting Standards** – Each unit shall have exterior wall mounted lights at each entrance and pole mounted yard light adjacent to the intersection of the unit sidewalk and the common area sidewalk. Parking lot lighting shall be a maximum height of twenty feet (20'), measured from finish grade to the bottom of the light fixture, and directed to minimize glare on public roads and adjacent properties.
15. **Sound Suppression** – Walls between units, and end walls on end units, shall have a minimum sound transmission coefficient rating of 55.
16. **Underground Utilities** – Except for junction boxes, meters, pedestals, transformers and existing overhead utility lines and for technical and environmental reasons, all utilities shall be underground.

17. **Entrance Feature** – An irrigated landscaped entrance feature, substantially in accordance with EXHIBIT D (see case file), shall be provided subject to approval by the Director of Planning.
18. **Signage** – Project identification sign(s) shall be ground mounted, shall be no more than six (6') feet in height, and shall not be internally illuminated.
19. **Garages** – A minimum of 40 garage spaces, included in the required parking for the development, shall be provided.
20. **BMP** – The proposed BMP pond shall be designed as a passive use amenity.
21. **Recreational Amenities** – Recreational amenities shall be provided within the Common Area of the development and shall incorporate such amenities as, by way of example, fountains, walkways, benches, picnic areas, and landscaping, in order to provide for passive uses and shall also include active use amenities such as, by way of example, a “tot lot”, volleyball area or other active recreational facility subject to approval by the Director of Planning.
22. **Landscaping** – A conceptual landscape plan shall be submitted with the Plan of Development depicting the proposed landscaping design for the Property, including all recreational amenities, and shall incorporate a 25% tree canopy coverage for common open space subject to approval by the Director of Planning.
23. **Site Plan** – Development of the property will be in substantial accordance with the Illustrative Master Plan prepared by Higgins & Gerstenmaier dated January 5, 2004 attached hereto as EXHIBIT D (see case file) unless requested and approved by the Director of Planning at the time of Plan of Development Review.
24. **Curb and Gutter** – All roads shall have standard 6” curb and gutter and be constructed in accordance with the Henrico County Guidelines.
25. **Access** – There shall be no direct vehicular access to Harvie Road or Laburnum Avenue.
26. **Watts Lane** – Watt’s Lane shall not be extended to Harvie Road unless otherwise required by the County at the time of Plan of Development.
27. **Parcel 808-731-2137** – Subsequent to approval of the final construction plan not requiring the extension of Watt’s Lane, the developer shall deed that portion of the Property adjoining the northern boundary line of parcel 808-731-2137 to its current owner.

Mr. F. Philip Parker, Jr.  
March 30, 2004  
Page 5

28. **Development Standards** – The Property shall be developed under the guidelines of the Virginia Condominium Act.
29. **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 of 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,

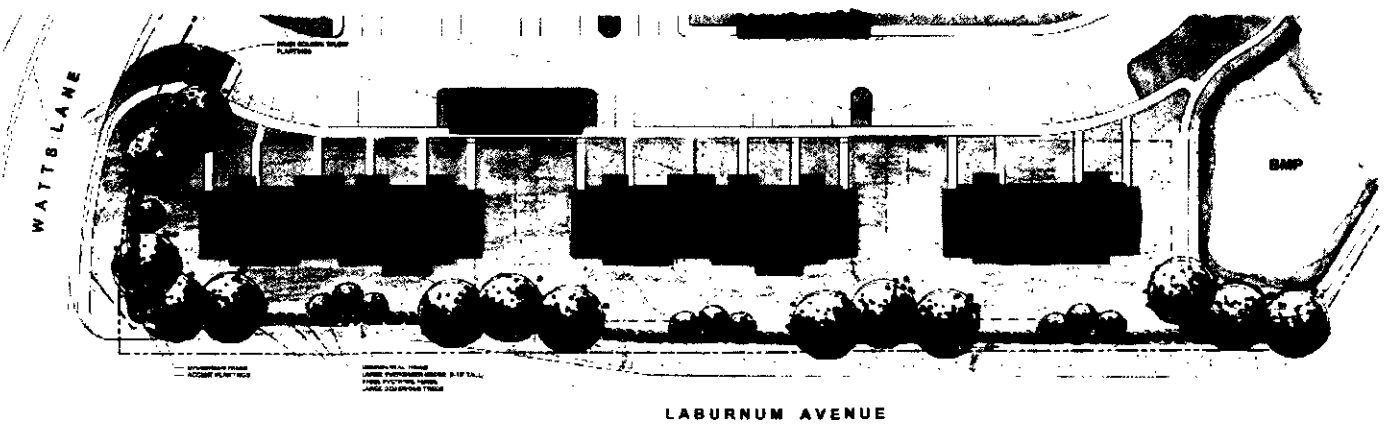
  
Virgil R. Hazelett, P.E.  
County Manager

pc: Dr. Roscoe C. Cooper, Jr.  
Director, Real Estate Assessment  
Conditional Zoning Index  
Ms. Penny Blumenthal – Director, Research and Planning



LABURNUM AVENUE SCREENING/BUFFER ELEVATION  
SCALE 1/8" = 1'-0"

LABURNUM AVENUE SCREENING/BUFFER SECTION  
SCALE 1/8" = 1'-0"



LABURNUM AVENUE SCREENING/BUFFER PLAN  
SCALE 1/8" = 1'-0"



ILLUSTRATIVE BUFFER/SCREENING PLAN  
**The Villas @ Laburnum**  
 Henrico County, Virginia  
 Attack Properties  
 4131 Forests Drive Suite 118 Glen Allen, Virginia 23060



**C-68C-03**

EXHIBIT A



C-68C-03

EXHIBIT B

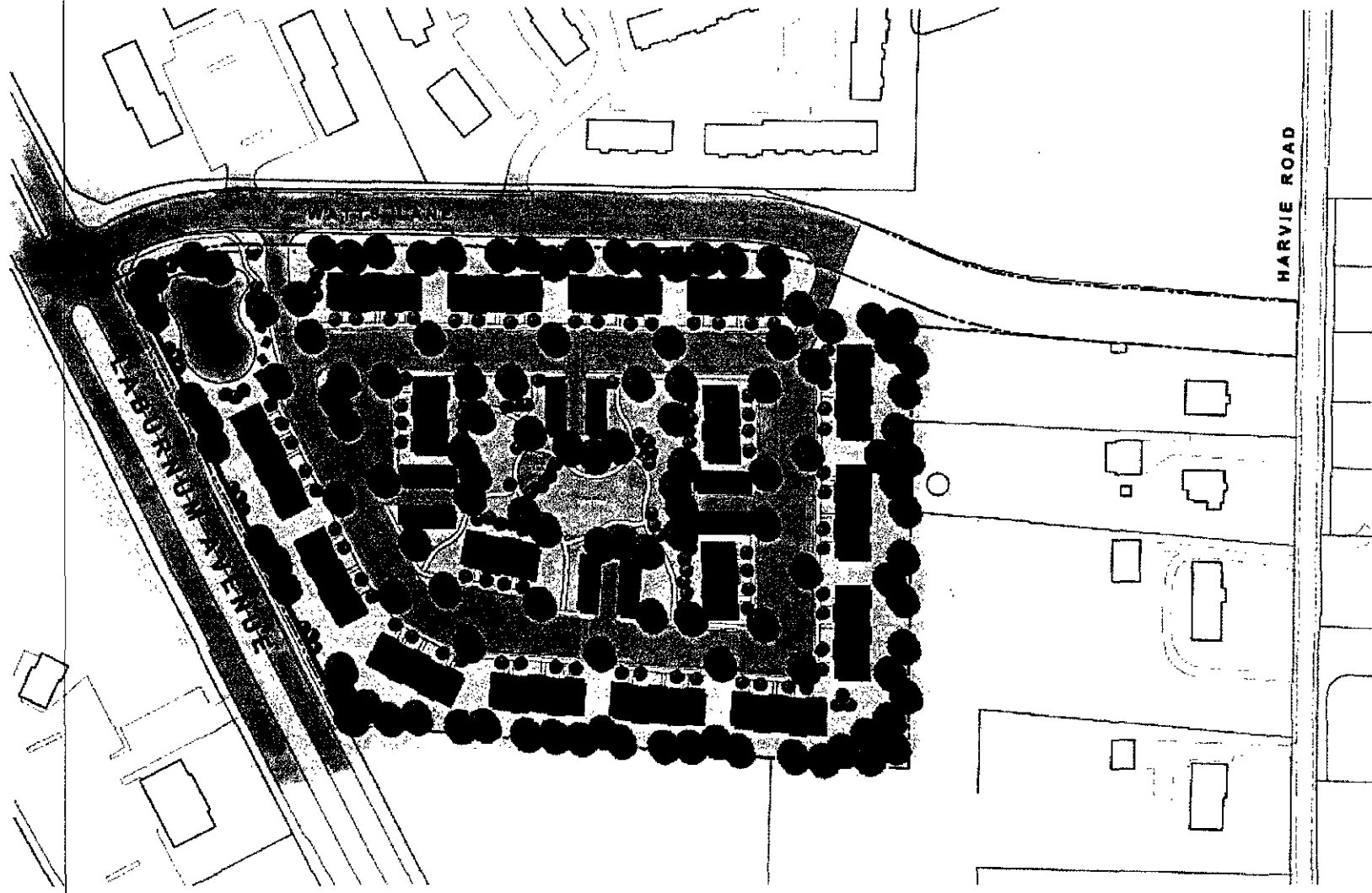




ARCHITECTURAL RENDERING  
BY [unreadable]

C-68C-03

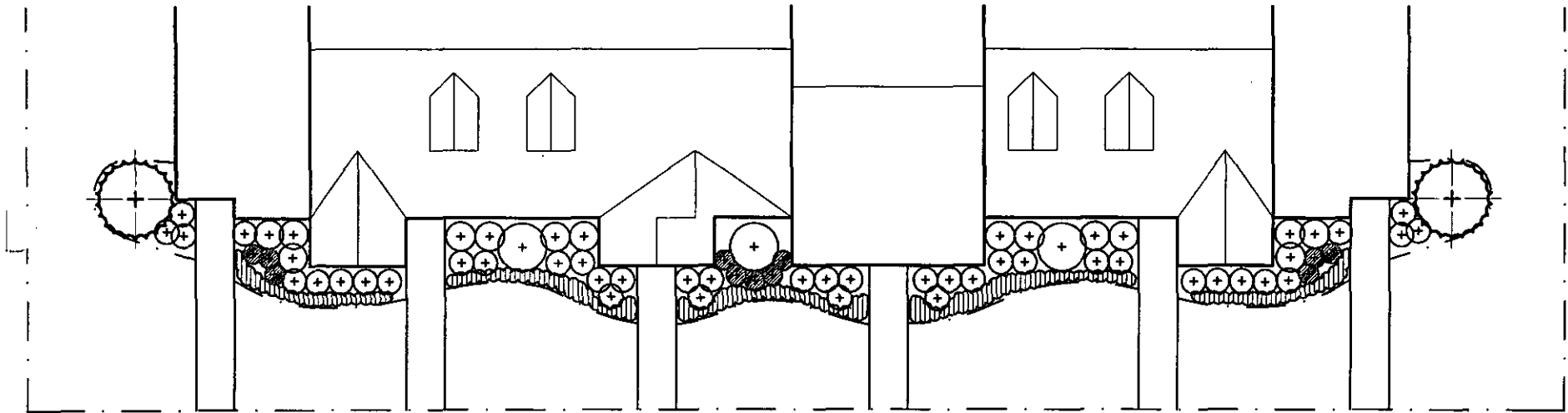
EXHIBIT C



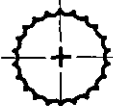





ILLUSTRATIVE MASTER PLAN  
**THE VILLAS AT LABURNUM**  
 Henrico County, Virginia  
 Attack Properties  
 4191 Lakeside Drive Suite 118 Glen Allen Virginia 23060



EXHIBIT D  
 C-696-03



LANDSCAPE KEY:

-  UPRIGHT EVERGREEN
-  EVERGREEN FOCAL
-  FLOWERING SHRUB (±36")
-  EVERGREEN SHRUB (±24")
-  ACCENT PLANTING (±18")
-  GROUND COVER (±12")

FOUNDATION PLAN  
EXHIBIT E

C-68C-03