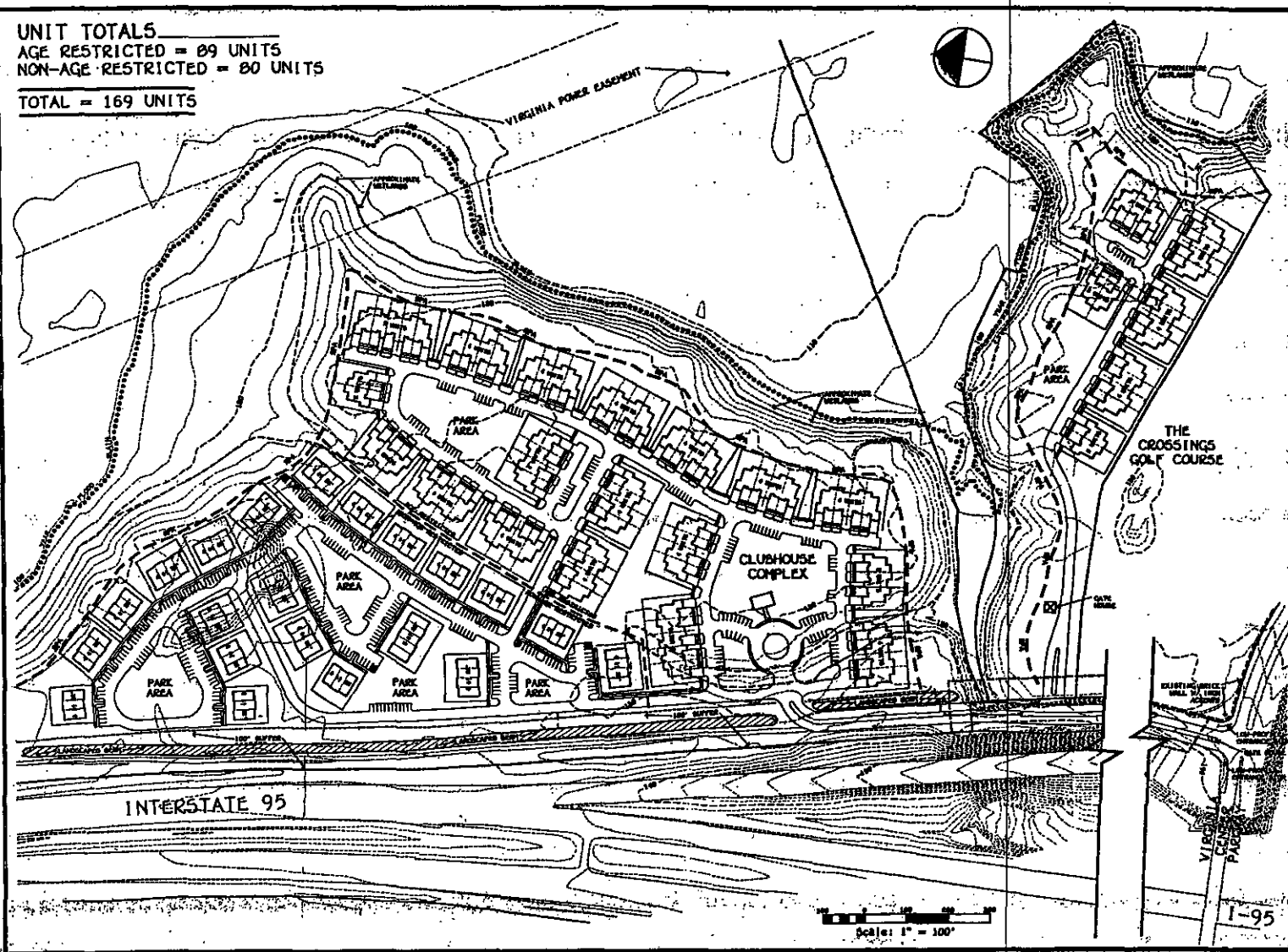


January 2004

ZONING
 Age & Non Age Restricted
 Townhouses for Sale

Ref. 788-771-3457

C-3C-04
Fairfield District
 Scale: 1" = 1000'



UNIT TOTALS
 AGE RESTRICTED = 09 UNITS
 NON-AGE RESTRICTED = 80 UNITS
TOTAL = 169 UNITS

JOB NO. 03060

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FILED: 03/09/04
 DESIGNED: [Signature]
 CHECKED: [Signature]
 DATE: OCT. 23, 2003
 REVISIONS: [Table with 2 columns: No., Description]

BAY
 DESIGN GROUP, P.C.
 10000 W. 10th Street, Suite 100
 Overland Park, KS 66204
 (913) 666-1000
 www.baydesigngroup.com

PROJECT: Sauer Tract
 Author: AEA Community
 Partial detail
 Includes: [List of items]

SHEET: Conceptual Plan (Exhibit A)
 SHEET NO: C1
 JOB NO. 03060

www.baydesigngroup.com

C-3C-04

EXHIBIT A



C-3C-04

Exhibit B (Age Restricted)



Exhibit C (Non-Age Restricted)

C-3C-04



SAUER TRACT



SCALE
1/4" = 1'-0"



7302 Brook Road
Richmond, VA 23227
p (804) 262-3497
f (804) 262-9073
carouselsigns.com

SAUER TRACT

CLIENT:
Wilton Development

SALES PERSON:
Bobby Wiltshire

DESIGNER:
Jamie Jamison

SIGN: entrance monument

Approved By:

Date:

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Conceptual Plan Exhibit D



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

February 17, 2004

Virgil R. Hazelett, P.E.
County Manager

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

Re: Conditional Rezoning Case C-3C-04

Dear Mr. Wilton:

The Board of Supervisors at its meeting on February 10, 2004, granted your request to conditionally rezone property from A-1 Agricultural District, O-3 Office District and O-3C Office District (Conditional) to RTHC Residential Townhouse District (Conditional), on part of Parcel 788-771-3457, described as follows:

Beginning at a point on the eastern line of Interstate 95 at its intersection with the north line of Virginia Center Parkway; thence along the eastern line of Interstate 95, N03°20'00"E 463.80' to a point; thence continuing along said eastern line, the following courses: N08°12'30"E 235.41' to a point; thence N05°24'24"E 212.73' to a point; thence along a curve to the left having delta of 15°10'18", radius of 1605', arc length of 425', tangent of 213.75' and chord of N05°15'29"W 423.76' to a point; thence N14°04'30"W 225' to a point; thence N10°13'00"W 46.34' to a point; thence N76°12'51"E 5.11' to a point; thence N13°46'23"W 1425.06' to a point; thence along a non tangent curve to the left, having delta of 11°16'12", radius of 7734.44', arc length of 1521.34', tangent of 763.13' and chord of N13°37'07"W 1518.89' to a point; thence N19°15'13"W 425' ± to a point where the approximate zoning line intersects the aforementioned eastern line of Interstate 95; thence departing said eastern line of Interstate 95, and following the line between C-1C zoning and O-3C zoning, in a southerly direction for a distance of 4626'± to a point; thence departing said approximate zoning line, S60°08'37"W 161'± to a point; thence with the meanders of a stream 488'±, with a tie line of S73°13'56"W 486.36' to a point; thence S13°47'09"E 22.62' to a point; thence along a non tangent curve to the right having a delta of 45°26'18", radius of 400', arc length of 317.22', tangent of 167.48' and chord N79°52'34"E 308.97' to a point; thence along a curve to the right having a delta of 48°45'59", radius of 300', arc length of 255.34', tangent of 135.98' and chord of N78°12'44"E 247.70' to a point; thence along a curve to the left having a delta of 44°24'15", radius of 400', arc length of 310', tangent of 163.25' and chord of N76°01'52"E 302.30' to a point; thence along the line between existing C-1 zoning and O-3 zoning, for a distance of 197'± to a point; thence S15°44'30"W 30' to a point; thence S82°47'20"E

202.24' to a point; thence N46°10'00"E 88.75' to a point; thence N23°05'05"E 118.18' to a point; thence S50°29'45"E 162'± to a point; thence along the previously mentioned zoning line, as it meanders, for a distance of 91'±, with a portion of the boundary line as a tie line, S50°29'45"E 82'± to a point; thence S50°29'45"E 110'± to a point; thence with the aforementioned zoning line, in a southwesterly direction, for a distance of 961'± to a point; thence departing said zoning line, N70°05'05"W 461'± to a point; thence S89°28'15"W 303.18' to a point; thence S84°28'15"W 210.56' to a point; thence S09°22'22"E 354.38' to a point; thence S00°00'49"W 306.56' to a point; thence S10°30'36"W 201' to a point; thence S04°47'58"W 300' to a point; thence S06°13'53"W 200.06' to a point on the north line of Virginia Center Parkway; thence along said north line of Virginia Center Parkway, S84°51'21"W 78.41' to a point, said point being the point and place of beginning, containing 75± acres of land.

The Board of Supervisors accepted the following proffered conditions, dated January 12, 2004, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Use Restrictions.** The Property will be restricted to 95 Age-Restricted Townhouse Units and 85 Non-Age Restricted Townhouse Units. The minimum size of the (finished floor area) of the Age-Restricted Townhouses shall be 2,100 square feet and the minimum size of the (finished floor area) of the Non-Age Restricted Townhouses shall be 1,500 square feet. The age restriction shall comply with the Virginia Fair Housing Act (VA Code §36-96.7, as it may be amended).
2. **Density.** The number of dwellings to be constructed on-site shall not exceed 180 units.
3. **Conceptual Plan.** The site shall be developed in substantial conformance with the Conceptual Plan "Exhibit A" by Bay Design Group dated October 23, 2003 with revision as approved during POD review by the Planning Commission. There shall be no more than five (5) units in a row within the entire development with the majority of units no more than four (4) in a row.
4. **Architectural Design.** The townhouses shall be built in substantial conformance to Exhibit B (Age-Restricted) and Exhibit C (Non-Age Restricted) developed by Ryan Homes (see case file) or as approved by the Planning Commission at the time of POD approval.
5. **Exterior Materials.** The exposed portion of each exterior wall surface (roof, rear and sides) of any building (including rooftop screening materials for mechanical equipment) shall be brick, stone, and vinyl siding excluding windows, doors, breezeways, and other architectural design features. The visible portions of exterior building foundations shall be constructed of brick. Approximately fifty (50)

percent of the front façade of each principal building and any end facing a parking area or public or private road of each principal building, constructed on the Property shall be brick. The side of any end unit facing the parking area or any public or private road shall have one bay window (non-cantilevered if no basement), two regular windows, or other architectural feature to break up the visual mass.


6. **Amenities**. There shall be a minimum of 500 square feet per townhouse unit of recreational open space provided within the development. Included in the recreational space shall be a clubhouse with other outdoor amenities determined by the clientele that will live in the community. The clubhouse will be a minimum of 1,500 square feet and include an outside pool. The "Clubhouse Complex" depicted on the Conceptual Plan is for illustrative purposes only. The final design of the "Clubhouse Complex" shall be determined at the time of POD approval by the Planning Commission. Open space shall be provided throughout the development with benches, landscaping, walking trails, and play areas where appropriate.
7. **Buffer Adjacent to Interstate 95**. There shall be 100 foot buffer adjacent to Interstate 95 as shown on the Conceptual Plan Exhibit A (see case file). The buffer will be bermed and shall be planted with the trees and shrubs as required in the Henrico County Zoning Ordinance for a minimum of a transitional thirty-five (35) to fifty (50) foot buffer to screen the traffic from the Interstate as approved by the Planning Commission at the time of POD review.
8. **Entrance Feature**. A landscaped, irrigated and lighted entranceway with upscale signage that blends into the existing character Virginia Center Parkway as shown on the Conceptual Plan Exhibit D (see case file) will be provided as approved by the Planning Commission at the time of any Plan of Development on the Property.
9. **Access Road**. Access to the development shall be from a private road with two (2) each eighteen (18) foot divided lanes and a sixteen (16) foot median where the existing right-of-way permits. The Access Road shall be constructed in accordance with the County of Henrico's Public road Standards and Specifications with three (3) foot roll-face or standard curb and gutter as approved by the Department of Public Works.
10. **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.
11. **Underground Utilities**. Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.

12. **Mechanical Equipment.** Mechanical equipment shall be screened from public view at ground level at the Property lines in a manner approved at the time of Plan of Development review.
13. **Lighting.** Parking lot lighting shall be provided for the townhouses and produced from concealed sources. Parking lot lighting standards shall not exceed fifteen (15) feet in height and shall be positioned in such a manner as to minimize the impact of such lighting offsite.
14. **Detached Signage.** Any detached signs on the Property shall be ground mounted, monolithic-type signs. Such signs shall not exceed six (6) feet in height as measured from the grade of the base of the sign and shall be externally lit employing ground-mounted floodlight or spotlight-type fixtures directed toward such signs and away from public rights-of-way.
15. **Ownership.** The townhouses shall be marketed as owner-occupied.
16. **Garages.** Each Age-Restricted Townhouse shall have a two (2) car garage for every end unit and, at a minimum, a one (1) car garage for interior units.
17. **Sidewalks.** Sidewalks 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.
18. **BMP.** If the storm water management pond is a wet pond; it shall be designed to include water features. In any case, any storm water management pond located on the property shall be landscaped as approved by the Planning Commission and Public Works at the time of any Plan of Development on the Property.
19. **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. The covenants shall also include development standards for the community including 25-year dimensional shingles, brick and vinyl siding, sodded front yards, and hard surface driveways. Parking of recreational vehicles, boats and campers shall be prohibited in the development.
21. **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.

22. **Traffic Volumes**. With regard to the property zoned RTHC located east of Interstate 95, the development of such portion of the property shall continue only to the point at which peak hour one-way traffic volume on the Virginia Center Parkway bridge across I-95 exceeds 2,500 cars per hour on a regular basis unless a new road has been constructed connecting Virginia Center Parkway north to Sliding Hill Road east of Interstate 95.
23. **Access to the Pumping Station**. The Developer will provide access to the County Pumping Station which will continue to be maintained by the County per the existing agreement.
24. **Sound Suppression**. Walls between units shall have a minimum sound transmission coefficient rating of 54.
25. **Enhanced Tree Canopy**. The development will provide an enhanced tree canopy of a minimum of twenty (20) percent over the entire development excluding the entrance road.

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 Virgil R. Hazelett, P.E.
County Manager

pc: Sauer Properties, Inc.
Director, Real Estate Assessment
Conditional Zoning Index
Dr. Penny Blumenthal – Director of Research and Planning