

PARCEL 3
A-1 to R2AC
6.9 Acres

PARCEL 1
A-1 to R-2AC
80.48 Acres

PARCEL 2
A-1 to R-2AC
7.63 Acres



December 2004

ZONING [®]
Single-Family Residential

Ref. 781-773-3186

C-6C-05
Fairfield District

0 900 Feet



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

April 19, 2005

Atack Properties, Inc.
4191 Innslake Drive, Suite 118
Glen Allen, VA 23060

Re: Conditional Rezoning Case C-6C-05

Dear Sir:

The Board of Supervisors at its meeting on April 12, 2005, granted your request to conditionally rezone property from A-1 Agricultural District to R-2AC One Family Residence District (Conditional), Parcels 781-773-3186, 780-773-3673, 780-773-2718 and 780-772-9071, described as follows:

Parcel 1

Beginning at the point of intersection of the northern boundary of the right of way line of Magnolia Ridge Drive and the northern boundary of the right of way line of Jeb Stuart Parkway; thence along the northern boundary of the right of way line of Jeb Stuart Parkway N44°45'01"W 1,493.37' to a point; thence leaving the western boundary of the right of way line of Jeb Stuart Parkway N23°00'00"E 96.57' to a point on the northern boundary of the right of way line of Woodman Road, said point being the Actual point and Place of Beginning for Parcel 1; thence along the northern boundary of the right of way line of Woodman Road N47°05'56"W 83.23' to a point; thence along a circular curve to the left having a delta angle of 54°00'14", a radius of 1,186', and an arc length of 1,117.86' to a point; thence leaving the northern boundary of the right of way line of Woodman Road N18°31'33"E 699.20' to a point; thence N85°31'27"W 103' to a point; thence N06°44'27"W 660.67' to a point; thence N06°44'27"W 385.80' to a point; thence N76°46'33"E 635.13' to a point; thence N17°47'58"E ± 1,013.60' to a point at the approximate limits of the 100 Year FEMA Flood Plain; thence along the approximate limits of the 100 Year FEMA Flood Plain in an easterly direction ± 1,830' to a point; thence leaving the approximate limits of the 100 Year FEMA Flood Plain S23°00'00"W ± 2,119' to the point and place of beginning.

Parcel 2

Beginning at the point of intersection of the northern boundary of the right of way line of Magnolia Ridge Drive and the northern boundary of the right of way line of Jeb Stuart Parkway; thence along the northern boundary of the right of way line of Jeb Stuart Parkway N44°45'01"W 1,493.37' to the Actual Point and Place of beginning; thence leaving the northern boundary of the right of way line of Jeb Stuart Parkway S74°48'19"W 324.81' to a point; thence S73°13'18"W 185.84' to a point; thence S73°13'18"W 203.07' to a point; thence N30°50'54"W 656.26' to a point on the southern boundary of the right of way line of Woodman Road; thence with the southern boundary of the right of way line of Woodman Road along a circular curve to the right having a delta angle of 52°53'03", a radius of 1,106', and an arc length of 1,020.84' to a point; thence leaving the southern boundary of the right of way line of Woodman Road S23°00'00"W 11.49' to the Point and Place of Beginning.

Parcel 3

Beginning at the point of intersection of the northern boundary of the right of way line of Magnolia Ridge Drive and the northern boundary of the right of way line of Jeb Stuart Parkway; thence along the northern boundary of the right of way line of Jeb Stuart Parkway N44°45'01"W 1,493.37' to a point; thence leaving the northern boundary of the right of way line of Jeb Stuart Parkway N23°00'00"E ± 2,215.57' to a point at the approximately limits of the 100 Year FEMA Flood Plain, said point being the Actual Point and Place of Beginning; thence along the approximate limits of the 100 Year FEMA Flood Plain in a westerly direction ± 1,830' to a point; thence leaving the approximate limits of the 100 Year FEMA Flood Plain N17°47'58"E ± 230.60' to a point in the centerline of the Chickahominy River; thence along the centerline of the Chickahominy River in a easterly direction as it meanders ± 1,430' to a point; thence leaving the centerline of the Chickahominy River S23°00'00"W ± 397' to the point and place of beginning.

The Board of Supervisors accepted the following proffered conditions, dated April 12, 2005, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Density** – There shall be no more than one hundred forty-seven (147) lots developed on the Property.
2. **Driveways** – All driveways shall be finished with either asphalt, concrete, or exposed aggregate.
3. **House Size** – The minimum finished square footage of each dwelling shall be 2,000 square feet.

4. **Underground Utilities** – Except for junction boxes, meters, transmission mains and existing overhead utility lines, and for environmental reasons, all utility lines shall be underground.
5. **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.
6. **Restrictive Covenants/Homeowners' Association** – Prior to or concurrent with the recording of the subdivision, 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 lots in the subdivision that shall be responsible for the enforcement of the restrictive covenants, including, but not limited to, maintenance of the lots and common areas.
7. **Swimming Pools** – No swimming pools shall be located nearer to any street line than the rear building line of the dwelling or the side yard building line in the case of a corner lot.
8. **C-1 Zoning** – An application shall be filed for C-1 zoning for the areas within the Property that are within the 100 year flood plain, unless such areas are needed for roads, access ways or other purposes approved or required by the Planning Commission or any other governmental agency at the time of subdivision approval. Such rezoning application shall be filed as soon as reasonably practical, but in no case later than the date of the recordation of the last subdivision plat for the last lot platted on the Property.
9. **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.
10. **Foundations**. The exterior portion of a building below the first floor elevation which is visible above grade shall be finished with brick or stone. All homes shall be constructed on a crawl space with brick or stone foundations on all exterior sides. Foundation plantings shall be provided.
11. **No Cantilevering**. There shall be no cantilevered features including, but not limited to, bay windows and chimneys.
12. **Garages**. Each house shall have a minimum of a one car garage. A minimum of twenty-five (25) percent of all garages shall be side- or rear-loading.
13. **Street Trees**. The neighborhood shall have a street tree landscape plan in which a minimum of two (2) trees shall be planted on the front of each lot and the side yard

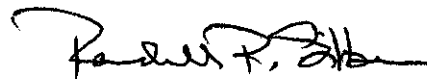
of any corner lot, a minimum of two and one-half (2 ½") in caliper in size at time of planting.

14. **Yards**. Front and side yards shall be sodded and irrigated, exclusive of mulched flowerbeds and landscaping.
15. **Entrance**. The primary entrance to the Property shall be a boulevard type and shall be landscaped.
16. **Curb and Gutter**. Curb and gutter shall be used on all streets and shall be designed to meet the current County standard for either "roll top" curb and gutter which shall measure not less than three (3) feet from edge of pavement to back of curb, or six (6) inch standard curb and gutter.
17. **Sidewalks**. A sidewalk shall be provided in the right-of-way on the north line of Woodman Road adjacent to the Property and shall be installed in the right-of-way along one side of all internal streets, except cul-de-sac streets.
18. **Historical Findings**. The developer agrees to consult with Henrico County Parks and Recreation on any historical findings as development progresses. If historical findings are discovered by the developer, Parks and Recreation shall be given an appropriate time of not less than one week to view such findings and any findings shall be donated to Parks and Recreation.
19. **Access**. The developer shall build one-half of Woodman Road adjacent to the Property, J.E.B. Stuart Parkway to its intersection with Grenville, and one-half of Grenville Road prior to receipt of the first certificate of occupancy on the Property. A financial contribution will be escrowed for the remainder of J.E.B. Stuart Parkway, the pro rata amount of which will be approved by the Director of the Department of Public Works. There shall be no connection to Pruett Court in Magnolia Ridge. The foregoing construction and contribution obligations shall be null and void if previously provided by others.
20. **Architecture**. No houses with the same architectural designs shall be adjacent to one another.
21. **Stub Roads**. Stub roads shall be provided to adjacent parcels having GPINs 779-773-9041 and 780-774-2957.
22. **Landscape Buffer**. A landscape buffer twenty (20) feet in width shall be provided along the northern and southern right-of-way lines of Woodman Road/J.E.B. Stuart Parkway adjacent to the Property and shall be planted in accordance with Transitional Buffer 25 standards, such buffer being in addition to yard requirements.

23. **Passive Recreational Amenities.** The location of passive recreational amenities to include a tot lot shall be identified at the time of tentative subdivision plan review. Community tot lots shall not be located within the major power line easement area.
24. **Compatibility.** Homes to be developed on the Property shall be similar to the architectural design and materials of the homes in Magnolia Ridge Subdivision, examples of which are filed herewith (see case file), which materials include brick, cementitious siding, EIFS and/or high-grade vinyl siding.

The Planning Department 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.

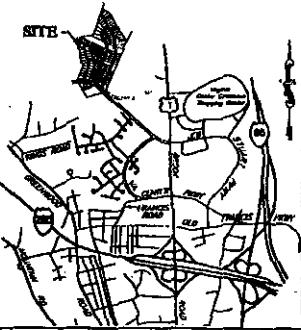
Sincerely,



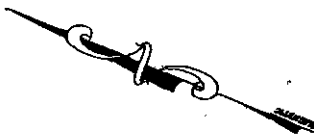
for Virgil R. Hazelett, P.E.
County Manager

pc: Mr. W. C. Schermerhorn, III
Director, Real Estate Assessment
Conditional Zoning Index
Dr. Penny Blumenthal – Director, Research and Planning

SITE

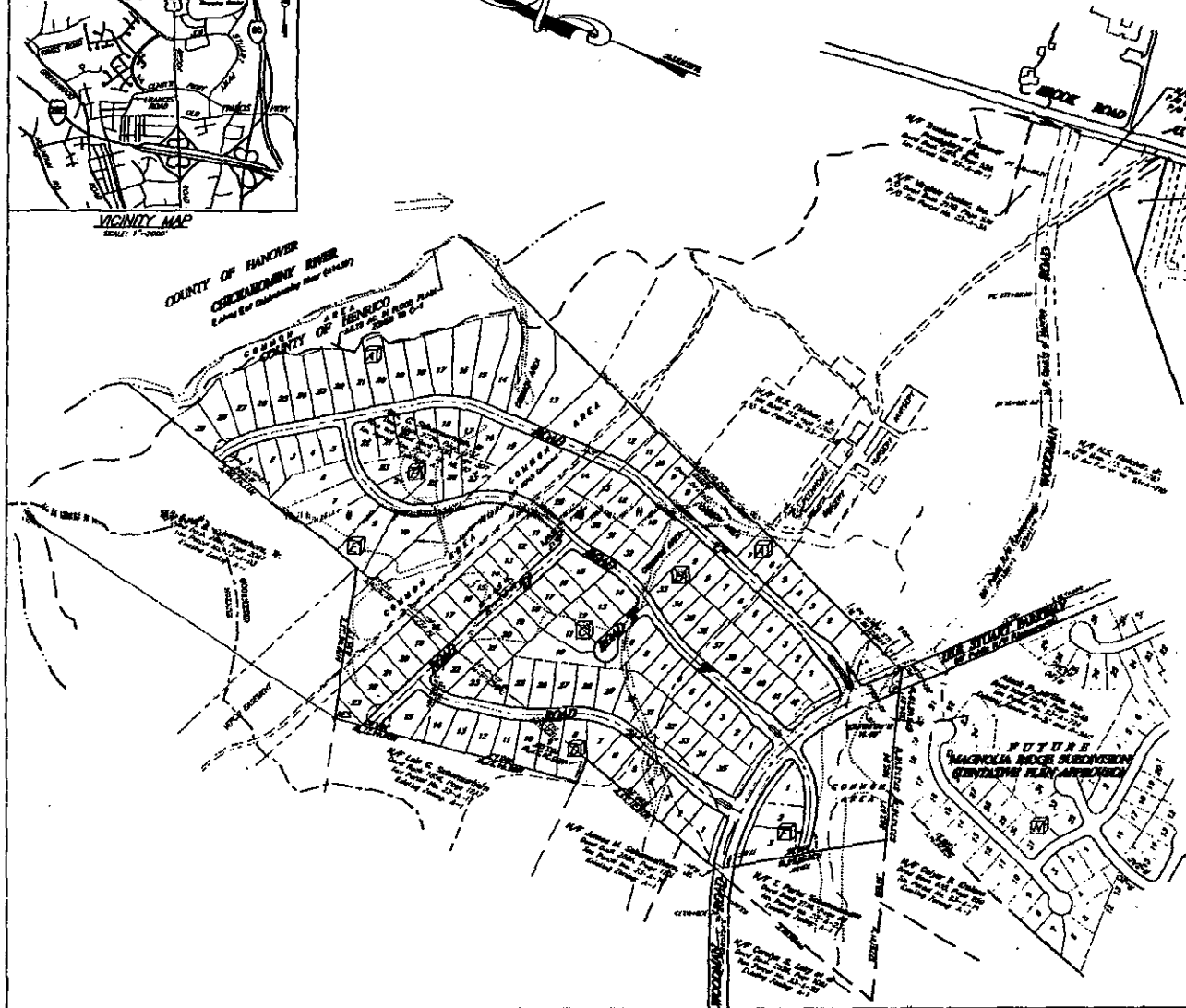


VICINITY MAP
SCALE: 1"=2000'



COUNTY OF HANOVER
CERTEMINARY RIVER
County Of Hanover Map (1957)

COMMISSION OF LAND AND WATER RESOURCES
COUNTY OF HANOVER
LAND USE PLAN
2000 10-1-7



OWNER:
WILLIAM C. SCHERMERHORN, III
11230 WIMFREY ROAD
GLEN ALLEN, VIRGINIA 23058

DEVELOPER:
AVACK PROPERTIES, INC.
4435 WATERFRONT DRIVE SUITE #408
GLEN ALLEN, VIRGINIA 23060
PHONE: (804) 346-3800
ATTN: MR. ROCK MELCHOR

TOTAL NO. LOTS: 147
P-2A



CIVIL-HIGHWAY-DRAINAGE-SURVEYING-SITE PLANS-SUBDIVISIONS

LINDAY CONSULTING ENGINEERS, P.C.
1000 Professional Plaza, Richmond, Virginia 23260
Telephone: (804) 672-7000 Fax: (804) 272-0188
E-Mail: LINDAY@LSE.COM

MAGNOLIA RIDGE - PHASE 2
SUBDIVISION PLAN

DATE: FEB. 17, 2005
SCALE: 1"=200'

PROJECT NO. 0271

