

SUBJECT PROPERTY

C-22C-09
Zoning
 Amend Proffered Conditions
 (C-67C-03 & C-38C-06)
 Brookland District

400 Feet

PS July 2009 Ref: 762-773-4696

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO



Virgil R. Hazelett, P.E.
County Manager

October 20, 2009

CA, L.L.C.
Attn: Robert Atack, Manager
4191 Innslake Drive, Ste. 118
Glen Allen, VA 23060-3324

Re: Conditional Rezoning Case C-22C-09

Dear Sir:

The Board of Supervisors at its meeting on October 13, 2009, granted your request to amend proffered conditions accepted with Rezoning Cases C-67C-03 and C-38C-06, on part of Parcel 762-773-4696, described as follows:

Beginning at a point at the intersection of the east line of Hunton Park Lane and the south line of Hunton Park Boulevard being the point of beginning (P.O.B.); thence along the south line of Hunton Park Boulevard along a curve to the right having a radius of 25.00' for an arc length of 39.27' subtended by a chord of N 71°56'00" E, for a distance of 35.36' to a point; thence S 63°04'00" E, for a distance of 50.00' to a point; thence along a curve to the left having a radius of 1040.00' for an arc length of 412.10' subtended by a chord of S 74°25'06" E, for a distance of 409.41' to a point; thence leaving the south line of Hunton Park Boulevard S 5°24'41" W, for a distance of 119.96' to a point; thence N 83°20'58" W, for a distance of 43.73' to a point; thence S 6°58'23" W, for a distance of 63.20' to a point; thence S 84°28'45" E, for a distance of 17.35' to a point; thence S 6°59'47" W, for a distance of 98.37' to a point; thence N 85°22'38" W, for a distance of 86.72' to a point; thence S 3°35'10" W, for a distance of 83.95' to a point; thence S 7°10'56" E, for a distance of 78.86' to a point; thence S 83°10'32" E, for a distance of 62.06' to a point; thence S 5°16'02" E, for a distance of 81.34' to a point; thence S 69°16'28" E, for a distance of 152.39' to a point; thence S 4°48'49" E, for a distance of 229.63' to a point; thence S 80°40'24" W, for a distance of 16.94' to a point; thence S 9°19'36" E, for a distance of 4.97' to a point; thence S 80°40'24" W, for a distance of 20.84' to a point; thence S 9°19'36" E, for a distance of 59.59' to a point; thence N 80°40'24" E, for a distance of 23.98' to a point; thence S 9°19'36" E, for a distance of 92.71' to a point; thence N 80°40'24" E, for a distance of 335.49' to a point; thence N 25°28'31" W, for a distance of 205.41' to a point; thence N 3°47'09" E, for a distance of 198.34' to a point; thence N 32°49'33" E, for a distance of 160.37' to a point; thence S 58°56'32" E, for a distance of 122.08' to a point; thence N 73°47'52" E, for a distance of 44.04' to a point; thence S 61°01'57" E, for a distance of 145.90' to a point; thence N 23°35'45" E, for a distance of 117.51' to a point at the edge of the 100 year floodplain; thence meandering along the edge of the 100 year floodplain in a southerly direction approximately 625'± to a point on the north line of Interstate 295; thence along

the north line of Interstate 295 along a curve to the left having a radius of 11609.16' for an arc length of 682.14' subtended by a chord of S 81°34'04" W, for a distance of 682.04' to a point; thence S 78°29'24" W, for a distance of 184.26' to a point; thence N 84°54'22" W, for a distance of 46.02' to a point on the east line of Old Mountain Road; thence along the east line of Old Mountain Road N 43°19'03" W, for a distance of 570.61' to a point; thence N 44°22'50" W, for a distance of 34.58' to a point; thence along a curve to the right having a radius of 25.00' for an arc length of 37.71' subtended by a chord of N 1°12'11" W, for a distance of 34.24' to a point on the east line of Hunton Park Lane; thence along the east line of Hunton Park Lane along a curve to the left having a radius of 600.00' for an arc length of 419.90' subtended by a chord of N 21°57'55" E, for a distance of 411.38' to a point; thence N 1°55'00" E, for a distance of 100.00' to a point; thence along a curve to the right having a radius of 550.00' for an arc length of 240.14' subtended by a chord of N 14°25'30" E, for a distance of 238.24' to the place and Point of Beginning (P.O.B.). Said parcel containing 17.7± acres.

The Board of Supervisors accepted the following proffered conditions, dated October 8, 2009, which further regulate the above use of your property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

Except as further amended below, the proffers approved with Case C-67C-03 as amended by Case C-38C-06 shall continue to be in full force and effect.

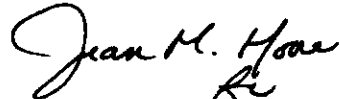
Applicable to RTHC District Only

2. **Architectural Treatment.** The two and three story townhouses constructed on the Property shall be substantially in conformance with the elevations filed with Case No. C-38C-06 or the additional elevation entitled "The Lafayette" attached hereto (see case file).
3. **Minimum Size.** The minimum finished floor area of a minimum of one hundred (100) units when aggregated with those units which were the subject of Case No. C-38C-06 shall be 2,925 square feet and shall have a minimum width of twenty-four (24) feet. The minimum finished floor area of the remaining units shall be 2,000 square feet and shall have a minimum width of twenty-four (24) feet.
18. **Sound Suppression.** Interior walls between units shall have a minimum sound transmission coefficient rating of 55. Exterior walls parallel or adjacent to Interstate 295 (i.e., the rear facade of the buildings M, N, O, P and Q as shown on POD-52-04 as amended — see case file) shall be standard construction with, at the option of the purchaser, the addition of an RC-1 sound attenuation channel creating a ½" dead air space, and with, at the option of the purchaser, windows installed in these walls having a minimum sound transmission coefficient rating of 32. A cross-sectional detail, reviewed and approved by a certified architect or engineer as the methodology to accomplish the sound coefficient rating if desired by the purchaser, shall be included in the building permit application.

25. **Security System.** At the option of the purchaser, a security system shall be provided for each dwelling unit.

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,



Virgil R. Hazelett, P.E.
County Manager

pc: Director, Real Estate Assessment
Conditional Zoning Index