

C-37C-81



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

FRANK A. FAISON
County Manager

September 15, 1981

Re: Conditional Rezoning Case C-37C-81

Mr. Bradley N. Haber
US Home Corporation/
Shenandoah Land Development Division
67 Kings Highway West
Haddonfield, New Jersey 08033

Dear Mr. Haber:

At its September 9 meeting the Board of Supervisors, acting on the Planning Commission's recommendation, accepted the owner's proffered conditions and conditionally rezoned the below described property from A-1 Agricultural to B-1 Neighborhood Business, R-6 General Residence and RTH Residential Townhouse District in accordance with your request.

The property rezoned is identified as tax parcels 86-A1-1 and 87-B1-17 and described by classification as follows:

Parcel 1 - B-1 Conditional

Beginning at a point on the N. line of Broad Street Road approximately 775.08' east of its intersection with the E. line of Innesbrook Road; thence N. $36^{\circ} 53' 18''$ E., 480' to a point; thence S. $57^{\circ} 34' 00''$ E., 456.57' to a point; thence S. $9^{\circ} 36' 00''$ W., 260' to a point on the N. line of Broad Street Road; thence along said N. line N. $80^{\circ} 23' 30''$ W., 220.15' to a point; thence continuing along said north line N. $80^{\circ} 50' 30''$ W., 506.23' to the point of beginning, containing 4.55 acres.

Parcel 2 - R-6 Conditional

Beginning at a point on a bearing of N. $36^{\circ} 53' 18''$ E., 480' from Broad Street Road and 775.08' east of Innesbrook Road; thence N. $36^{\circ} 53' 18''$ E., 220' to a point; thence S. $58^{\circ} 35' 34''$ E., 703.90' to a point; thence S. $24^{\circ} 58' 23''$ W., 370' to a point on the N. line of Broad Street Road; thence along said N. line N. $80^{\circ} 23' 30''$ W., 150' to a point; thence N. $9^{\circ} 36' 00''$ E., 260' to a point; thence N. $57^{\circ} 34' 00''$ W., 456.57' to the point of beginning, containing 4.65 acres.

Parcel 3 - RTH Conditional

Beginning at a point on a bearing of N. $36^{\circ} 53' 18''$ E., 700' from Broad Street Road and 775.08' East of Innesbrook Road; thence N. $36^{\circ} 53' 18''$ E., 126.69' to a point; thence N. $26^{\circ} 50' 47''$ W., 456.46' to a point; thence N. $33^{\circ} 22' 00''$ E., 637.97' to a point; thence N. $56^{\circ} 36' 40''$ W., 361.40' to a point; thence N. $32^{\circ} 52' 00''$ E., 417.99' to a point; thence N. $31^{\circ} 51' 25''$ E., 558.81' to a point; thence S. $57^{\circ} 32' 35''$ E., 790.62' to a point; thence S. $34^{\circ} 40' 45''$ W., 569.93' to a point; thence S. $56^{\circ} 19' 30''$ E., Mr. Bradley N.

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ALSO SEE
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489.33' to a point; thence S. 24° 58' 23" W., 1,401.99' to a point; thence N. 58° 39' 34" W., 703.90' to the point of beginning, containing 43.29 acres.

The above described property is subject to regulation by the following proffered conditions in addition to all applicable provisions of Chapter 22 of the Code of Henrico (Zoning Ordinance).

B-1

1. Access to and from the Property to and from U. S. Route 250, shall be limited to a maximum of two roadways, except as required by the Planning Commission or other governmental bodies having jurisdiction with respect thereto. The Owner shall dedicate sufficient land for the principal road serving the Property to be a four (4) lane divided road for a distance of approximately the first 1,500 feet north from U.S. Route 250 and a three (3) lane undivided road for the balance thereof (approximately 1,200 feet), except as otherwise required by the Planning Commission or other governmental bodies having jurisdiction thereof.

See C-31-89

B-1

2. The exterior walls (excluding the roof) of each separate principal structure constructed on Parcels 1 and 2 shall be of the same finish materials, or shall be similar in appearance.

3. Owner shall not request nor shall there be any vehicular access to or from the Property to or from Riverdale Avenue, Innesbrook Road and/or Thorncroft Drive, except as required by the Planning Commission or required by any other governmental body having jurisdiction with respect thereto.

B-1

4. The Property shall only be served by public water and sewer, to the extent they are available and may be purchased from Henrico County.

B-1

5. The development, use and operations of the Property shall be subject to such limitations as to signage and perimeter buffering as shall be incorporated in the Plan of Development Application or as required by the Planning Commission of Henrico County.

6. No portion of Parcel 2 shall be used for apartments or multi-family residential rental units.

7. A fifty (50) foot natural buffer area will be maintained along that portion of the western and northern boundaries of Parcel 3, as marked in yellow on Exhibit A and a one hundred (100) foot natural buffer area will be maintained along that portion of the western and northern boundaries of Parcel 3, as marked in red on Exhibit A

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(hereinafter collectively called the "Buffer Area") except to the extent required for the construction, operation and maintenance of utility easements, roadways or other purposes required by the Planning Commission or other governmental bodies having jurisdiction thereof. Underbrush, fallen, diseased or dead plant growth may be removed from the Buffer Area. In addition to the Buffer Area, a chain link fence seven (7) feet in height shall be constructed along the portions of the eastern and southern boundary lines of the Buffer Area as shown marked in blue on Exhibit A (which fence shall be constructed on the interior (Owner's side) of the Buffer Area), and along the balance of the northern boundary line of the Property as shown in blue on Exhibit A, except to the extent required for the construction, operation and maintenance of utility easements, roadways or other purposes required by the Planning Commission or other governmental bodies having jurisdiction thereof. The fence shall be planted with ivy or other plantings, to provide additional buffering for the Property. No townhouse structure shall be constructed closer than thirty (30) feet to the interior line of the Buffer Area.

B-1

8. Lighting in parking lots shall be of low intensity, shall be positioned in such a manner as to minimize the impact of such light on adjacent residential areas and be of such type as required by the Planning Commission.

9. Owner shall not request nor shall Owner accept more than one hundred (100) Certificates of Occupancy per year, on a cumulative basis, for residential units on the Property commencing with the date the Property is rezoned by the Board of Supervisors of Henrico County. In no event shall Owner request or accept more than one hundred fifty (150) Certificates of Occupancy for residential units in any such year.

B-1

10. No exterior wall (excluding the roofs and foundations) of any principal building on the Property shall be constructed of exposed cinder block, asbestos shingles or imitation brick or stone siding material.

11. With respect to Parcel 3, the architectural style and quality of the residential townhouses constructed thereon shall be at least substantially equal to that shown on the elevation plan prepared by Gary H. Kanalstein & Associates P.A., Architects and Land Planners, dated July 29, 1981, a copy of which has been filed with this conditional rezoning case.

12. With respect to Parcel 3, each residential townhouse unit shall contain a minimum of the following gross floor area in square footages:

<u>If the Unit is a</u>	<u>Square Footage</u>
1 Bedroom	900 sq. ft.
2 Bedroom	1,000 sq. ft.
3 Bedroom	1,100 sq. ft.

13. With respect to Parcel 3, common areas not contained in property conveyed to individual owners shall be conveyed to a non-profit corporate homeowners association whose members shall be all of the individual owners of residential units in Parcel 3.

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14. The overall density of Parcel 3 shall not exceed an aggregate of three hundred thirty-five (335) residential townhouse units.

B-1

15. The 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.

The Planning Office has been advised of the action of the Board of Supervisors and requested to revise its records accordingly and to place a copy of the accepted proffered conditions in the Conditional Zoning Index.

Sincerely,



Frank A. Faison,
County Manager

cc: Clerk, Board of Supervisors
Supervisor, Real Estate Assessment
Mr. Jay M. Weinberg
✓ Conditional Zoning Index

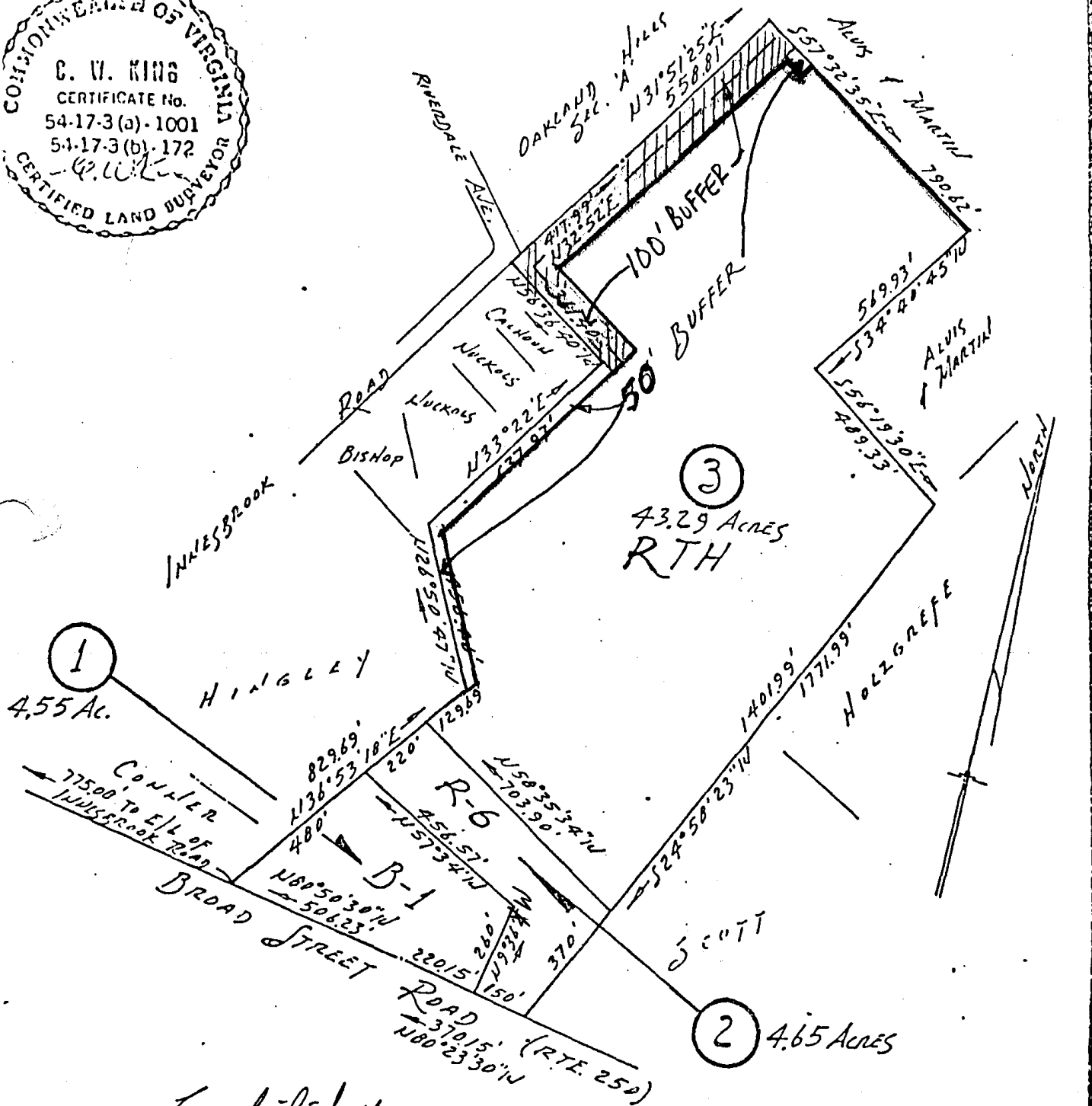
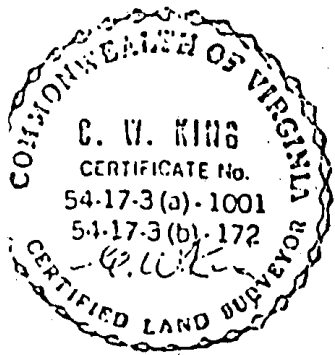


Exhibit A

ZONING PLAT

52.49 ACRE PARCEL ON N/L OF 110
U. S. ROUTE 250

HENRICO Co., TUCKAHOE DIST. VA.

YELLOW = 50' BUFFER
RED = 100' BUFFER
BLUE = CHAIN LINK FENCE

BREMNER, YOUNGBLOOD, & KING, INC.	
CONSULTING ENGINEERS	
P. O. BOX 517 MECHANICSVILLE VA. 23111	
DATE - May 29, 1981	SCALE: 1" = 400'
DRAWN BY - <i>SLC</i>	
CHECKED BY -	
JOB NO. 655-02	

ATED JOB NO.