

TOWNES at SHADY GROVE

RTHC

A-1 TO RTHC
11.329 Acres

5073
O/SC

O-2C

O/SC

HAMPSHIRE

HAMPSHIRE SOUTH

R-2AC

R-6C

OLD NICKOLS ROAD

0168
A-1

3059

A-1

6354

A-1

8230

R-5AC

6955

B-2C

1046

0397

A-1
4800

Proposed Kensington

R-3C

1191

2109

R-2C

MILRACE

SCOTT'S GLEN

7627

A-1

834

B-2

657

4854

5311

2756

2682

A-1

C-20C-02

THREE CHOPT DISTRICT

Scale: 1" = 400'

TOWNHOMES FOR SALE
Ref. 744-773-3059 & 6354



3182

April 2002



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

July 16, 2002

Re: Conditional Rezoning Case C-20C-02

HHHunt Corporation
Mr. Daniel T. Schmitt
100 Concourse Boulevard
Suite 100
Glen Allen, VA 23060

Dear Mr. Schmitt:

The Board of Supervisors at its meeting on July 9, 2002, granted your request to conditionally rezone property from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional), Parcels 744-773-3059 (18-A-11) and 744-773-6354 (18-A-12) described as follows:

Beginning at a point on the south line of Old Nuckols Road .06± mile to the east line of Shady Grove Road, thence continuing along the south line of Old Nuckols Road S 79°48'17" E a distance of 147.32' to a point; thence along a curve to the left having a radius of 10199.78', a delta of 00°57'23", and an arc length of 170.24' to a point; thence S 80°45'40" E a distance of 445.53 to a point; thence leaving the south line of Nuckols Road S 22°56'25" W a distance of 993.94' to a point; thence N 21°36'05" W a distance of 360.04' to a point; thence N 85°38'05" W a distance of 131.76' to a point; thence N 80°19'05" W a distance of 216.18' to a point; thence N 09°36'55" E a distance of 669.94' to the point and place of beginning, containing 11.329 acres.

The Board of Supervisors accepted the following proffered conditions, dated July 1, 2002, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. Greenbelts. Greenbelts for landscaping, natural open areas and scenic vistas will be provided twenty-five (25) feet in width adjacent to the ultimate right-of-way line of Old Nuckols Road except to the extent necessary for utility easements, bicycle paths, jogging trails, signage, sidewalks, access driveways for major project areas and other purposes requested and specifically permitted, or if required, at the time of subdivision approval and/or Plan of Development, or by any other governmental body.

2. Underground Utilities. Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
3. Driveways. No driveways serving individual dwellings, other than driveways for the main access drives shall have direct access to Old Nuckols Road.
4. Foundations. The exposed exterior portions of exterior residence foundations shall be constructed of brick or natural stone; however, the exposed exterior portions of exterior foundations residences may be constructed of exterior insulating finish systems (E.I.F.S.) if applied to a masonry surface, provided that the exterior walls of such residence are sided primarily in E.I.F.S.
5. Protective Covenants. Prior to or concurrent with the recordation of the first subdivision plat or Plan of Development approved by the County and before the conveyance of any portion of the Property covered by said subdivision plat or Plan of Development (other than for the dedication of easements, roads or utilities), a document shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of such portions of the Property.
6. Square Footage. At least two-thirds of the townhomes shall have a minimum of 1795 square feet of finished floor area. No unit shall have less than 1535 square feet of finished floor area.
7. Chimneys. No chimneys or gas vent units shall be cantilevered. The exposed portions of all fireplace chimneys shall be of brick or a siding similar to the exterior treatment of the dwelling. This proffer shall not apply to direct vent gas fireplaces or appliances. The exposed bases of all chimneys shall be of the same material as the dwelling foundations.
8. 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.
9. Density. No more than sixty nine (69) residential units shall be constructed on the Property.
10. Architecture. Various design elements will be incorporated to provide variety amongst individual units including, but not limited to, the following:

varying colors of brick, brick accents (including, but not limited to, arches with or without keystones, soldier courses, quoin corners, and accent coloring different from any main brick coloring), varying colors of siding, varying window designs, and varying doorway designs. A minimum of fifty (50) percent in the aggregate, of the visible portions of the front exterior building wall surfaces of each building, one hundred (100) percent of the sides of buildings which face public rights-of-way or internal driveways, and one hundred (100) percent of the rear exterior building wall surfaces of each building which rear wall faces Old Nuckols Road shall be of brick construction, excluding windows, doors, breezeways and architectural design features.

11. Parking Lot Lighting. Parking lot lighting fixtures shall not exceed fifteen (15) feet in height above grade level. Parking lot lighting shall be produced from concealed sources of light (i.e., "shoe box" type fixtures).
12. Privacy Fence: Plantings. Prior to the issuance of the first certificate of occupancy, the Applicant shall provide a six (6) foot high wooden fence approximately five (5) feet within or on the southern property line (adjacent to Kensington Subdivision) and shall plant along or near the southern property line a row of wax myrtles, three (3) to four (4) feet high at the time of planting and planted no more than five (5) feet on center, unless otherwise requested and specifically approved at the time of Plan of Development.
13. Access to East. The Property shall be designed such that if the Applicant purchases the adjacent property to the east, access to such property may be provided.
14. Entrance Feature. The Applicant shall include landscaping at a boulevard entrance to the Property off Old Nuckols Road to create an entrance feature.
15. Additional Fence/Plantings. A six (6) foot high solid board fence with a scalloped top shall be provided along the rear lot lines of townhomes parallel to Old Nuckols Road. Six to eight (6-8) foot Leyland cypress trees shall be planted no more than ten (10) feet on center the length of such rear lot lines on the Old Nuckols Road side of the fence.
16. Sidewalk. Subject to obtaining all required governmental easements, approvals and permits, a standard size pedestrian sidewalk shall, concurrent with the development of buildings on the Property, be installed in accordance with County standards in the County's right-of-way along the southern right-of-way line of Old Nuckols Road.


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17. No Annexation. The Property shall not be annexed as a part of the Twin Hickory community.

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: Director, Real Estate Assessment
Conditional Zoning Index
James W. Theobald, Esquire