

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation

C-79C-05
Zoning
 Retail / Residential
 Varina District
 600 Feet
 PS May 2006 Ref: 813-701-0425



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

January 30, 2007

StyleCraft Homes Development Corp.
Attn: Mr. Larry Horton
6225 Lakeside Avenue
Richmond, VA 23111

Re: Conditional Rezoning Case C-79C-05

Dear Mr. Horton:

The Board of Supervisors at its meeting on January 23, 2007, granted your request to conditionally rezone property from A-1 Agricultural District to R-5AC General Residence District (Conditional), RTHC Residential Townhouse District (Conditional), and B-2C Business District (Conditional), Parcel 813-701-0425, described as follows:

B-2C parcel:

All that certain piece or parcel of land lying and being in the Varina District of Henrico County, Virginia, situated along the east line of Willson Road, containing 24.5721 acres to be rezoned from A-1 to B-2C and being more particularly described as follows:

Beginning at a point (labeled "P.O.B.") on the east line of Willson Road at the end of the proposed zoning line between RTHC and B-2C zoning, said point being located 918.17' north along said east line from the north line of Laburnum Avenue extended; thence along said Proposed Zoning Line, N 67°51'11" E 1554.74' to a point; thence N 53°51'30" E 574.70' to a point; thence N 18°44'56" E 376.09' to a point on the south line of Darbytown Road; thence along the south line of Darbytown Road, S 55°15'17" E 157.02' to a point; thence S 39°20'47" W 8.00' to a point; thence along a curve to the right having Radius of 135.00', Delta of 92°59'35", Length of 219.11', Tangent of 142.24' and Chord of S 04°10'30" E 195.84' to a point on the north line of Laburnum Avenue; thence with said north line of Laburnum Avenue, S 43°20'13" W 150.00' to a point; thence S 46°31'55" W 2539.00' to a point; thence along a curve to the right having Radius of 25.00', Delta of 123°29'17", Length of 53.88', Tangent of 46.52' and Chord of N 71°44'06" W 44.04' to a point on the east line of Willson Road; thence with said east line of Willson Road, along a curve to the left having Radius of 2839.79', Delta of 00°26'27", Length of 21,85', Tangent of 10.93' and Chord of N 09°46'18" W

21.85' to a point; thence continuing with the east line of Willson Road N 09°33'05" W 575.97' to a point; thence along a curve to the left having Radius of 1171.00', Delta of 13°23'54", Length of 273.83', Tangent of 137.54' and Chord of N 16°15'02" W 273.21' to a point said point being the point and place of beginning and containing 24.5721 acres to be rezoned B-2C, as shown on Compiled Plat by Bay Design Group, dated November 30, 2006.

RTHC parcel:

All that certain piece or parcel of land lying and being in the Varina District of Henrico County, Virginia, situated along the east line of Willson Road, containing 34.1982 acres to be rezoned from A-1 to RTHC and being more particularly described as follows:

Beginning at a point (labeled "P.O.B.") on the east line of Willson Road at the end of the proposed zoning line between RTHC and B-2C zoning, said point being located 918.17' north along said east line from the north line of Laburnum Avenue extended; thence continuing along said east line of Willson Road, along a curve to the left having Radius of 1171.00', Delta of 21°01'46", Length of 429.80', Tangent of 217.34' and Chord of N 33°27'52" W 427.39' to a point; thence N 43°58'45" W 105.31' to a point; thence departing Willson Road and with the lands now or formerly of the Henrico County School Board, N 41°59'15" E 779.30' to a point; thence N 48°00'45" W 1030.07' to a point on the east line of Willson Road; thence with said east line of Willson Road N 20°12'35" E 55.95' to a point; thence departing the east line of Willson Road, S 48°18'11" E 214.68' to a point; thence S 48°35'13" E 109.98' to a point; thence S 52°25'56" E 270.89' to a point; thence N 33°07'22" E 129.85' to a point at the end of the proposed zoning line between RTHC and R-5AC zoning; thence with said zoning line, S 70°46'57" E 332.74' to a point; thence along a curve to the left having Radius of 262.00', Delta of 21°13'39", Length of 97.07', Tangent of 49.10' and Chord of S 81°23'47" E 96.51' to a point; thence along a curve to the right having Radius of 238.00', Delta of 29°51'57", Length of 124.06', Tangent of 63.47' and Chord of S 77°04'38" E 122.66' to a point; thence S 62°08'39" E 64.73' to a point; thence along a curve to the left having Radius of 362.00", Delta of 08'36'56", Length of 54.43', Tangent of 27.27' and Chord of S 66°27'07" E 54.38' to a point; thence S 70°45'36" E 94.88' to a point; thence along a curve to the left having Radius of 88.00', Delta of 45°21'15", Length of 69.66', Tangent of 36.77' and Chord of N 86°33'47" E 67.85' to a point; thence N 63°53'09" E 13.40' to a point; thence along, a curve to the right having Radius of 112.00', Delta of 45°21'15", Length of 88.66', Tangent of 46.80' and Chord of N 86°33'47" E 86.36' to a point; thence S 70°45'36" E 341.13' to a point; thence along a curve to the right having Radius of 1512.00', Delta of 05°23'33", Length of 142.30', Tangent of 71.20' and Chord of S 68°03'49" E 142.25' to a point; thence along a curve to the left having Radius of 350.14', Delta of 03°27'06", Length of 21.09', Tangent of 10.55' and Chord of S 67°05'36" E 21.09' to a point; thence S 21°10'52" W 167.62' to a point; thence S 22°08'49" E 373.07' to a point at the end of the proposed zoning line between RTHC and R-5AC zoning; thence S 67°51'11" E 1554.71' along

said proposed zoning line between RTHC and B-2C zoning, said point being the point and place of beginning and containing 34.1982 acres to be rezoned RTHC, as shown on Compiled Plat by Bay Design Group, dated November 30, 2006.

R-5AC parcel:

All that certain piece or parcel of land lying and being in the Varina District of Henrico County, Virginia, situated along the east line of Willson Road, containing 22.6851 acres to be rezoned from A-1 to R-5AC and being more particularly described as follows:

Beginning at a point (labeled "P.O.B. 1") at the end of the proposed zoning line between RTHC and B-2C zoning, said point being located 1554.71' northeast along said zoning line from the east line of Willson Road at the previously described "P.O.B."; thence along said proposed zoning line N 22°08'49" W 373.07' to a point; thence N 21°10'52" E 167.62' to a point; thence along a curve to the right having Radius of 350.14', Delta of 03°27'06", Length of 21.09', Tangent of 10.55' and Chord of N 67°05'36" W 21.09' to a point; thence along a curve to the left having Radius of 1512.00', Delta of 05°23'33", Length of 142.30', Tangent of 71.20' and Chord of N 68°03'49" W 142.25' to a point; thence N 70°45'36" W 341.13' to a point; thence along a curve to the left having Radius of 112.00', Delta of 45°21'15", Length of 88.66', Tangent of 46.80' and Chord of S 86°33'47" W 86.36' to a point; thence S 63°53'09" W 13.40' to a point; thence along a curve to the right having Radius of 88.00', Delta of 45°21'15", Length of 69.66', Tangent of 36.77' and Chord of S 86°33'47" W 67.85' to a point; thence N 70°45'36" W 94.88' to a point; thence along a curve to the right having Radius of 362.00', Delta of 08°36'56", Length of 54.43', Tangent of 27.27' and Chord of N 66°27'07" W 54.38' to a point; thence N 62°08'39" W 64.73' to a point; thence along a curve to the left having Radius of 238.00', Delta of 29°51'57", Length of 124.06', Tangent of 63.47' and Chord of N 77°04'38" W 122.66' to a point; thence along a curve to the right having Radius of 262.00', Delta of 21°13'39", Length of 97.07', Tangent of 49.10' and Chord of N 81°23'47" W 96.51' to a point; thence N 70°46'57" W 332.74' to a point at the end of the proposed zoning line between RTHC and R-5AC zoning; thence N 33°07'22" E 371.99' to a point; thence S 68°18'59" E 258.83' to a point; thence N 20°00'01" E 170.55' to a point on the south line of Darbytown Road; thence with said south line of Darbytown Road, along a curve to the right having Radius of 11489.08', Delta of 01°26'28", Length of 289.00', tangent of 144.51' and Chord of S 69°56'31" E 288.99' to a point; thence S 70°39'45" E 1004.17' to a point; thence S 67°07'14" E 279.47' to a point; thence S 55°15'17" E 62.98' to a point; thence departing the south line of Darbytown Road S 18°44'56" W 376.09' to a point; thence S 53°51'30" W 574.70' to a point at the end of the proposed zoning line between B-2C and R-5AC zoning, said point being the point and place of beginning and containing 22.6851 acres to be rezoned R-5AC, all as shown on a plat by Bay Design Group, dated November 30, 2006 entitled: "COMPILED PLAT SHOWING 81.4554 ACRES OF LAND AT THE INTERSECTION OF DARBYTOWN ROAD & LABURNUM AVENUE FOR THE PURPOSE OF REZONING, LOCATED IN THE

VARINA DISTRICT OF HENRICO COUNTY, VIRGINIA AND BEING SHOWN AS
PARCEL #813-701-0425.

The Board of Supervisors accepted the following proffered conditions, dated January 23, 2007, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

PROFFERS FOR THE B-2C PORTION OF THE PROPERTY:

1. **Use Restrictions.** The uses permitted shall be those permitted in the B-2 zoning District except that the following uses shall not be permitted:
 - a. Roller or ice skating rink;
 - b. Billiard parlors;
 - c. Establishments operating primarily as amusement, bingo or video game parlors;
 - d. Public dancehalls or massage parlors;
 - e. Adult business as defined in the Henrico County Zoning Ordinance;
 - f. Animal hospital or kennel;
 - g. Rifle or pistol ranges and gun shop, sales and repair;
 - h. Establishments whose primary business is check cashing and/or the making of payday loans as defined and regulated by Sections 6.1-432 et seq. and 6.1-444 et seq. of the Code of Virginia (the foregoing shall not preclude banks, savings and loans, or similar institutions that are not regulated by the foregoing Virginia Code sections);
 - i. Fortune teller, palmist, astrologist, numerologist, clairvoyant, craniologist, phrenologists, card reader, spiritual reader or similar activity;
 - j. Flea markets and antique auctions;
 - k. Permanent on-site recycling collection facility;
 - l. Private club, lodge, meeting hall and fraternal organizations;
 - m. Bars, which, for purposes of this restriction, shall mean a business establishment whose primary business is the sale of alcoholic beverages for on premises consumption. This restriction shall not prohibit the sale of alcoholic beverages in restaurants as licensed by the Virginia Department of Alcoholic Beverage Control;
 - n. Hotels, motels, and motor lodges;
 - o. Automobile service stations with repair and storage facilities, except service stations with convenience stores are permitted;
2. **Rooftop Mechanical Systems.** No heating, air conditioning or mechanical equipment shall be placed on the roof of any building unless screened from ground level.
3. **Sidewalks.** A 4' wide sidewalk with a 2' wide planting strip, shall be installed within the ultimate right of way of Willson Road from the terminus of the sidewalk installed

on the RTH parcel to the intersection with Laburnum Avenue and along the frontage adjacent to the portion of the commercial that is developed along Laburnum Avenue.

4. **Landscaping.** A 25' wide landscaped buffer, planted to a transitional buffer 35' standard, shall be installed along the developed portion of Laburnum Avenue frontage. Details of the landscaped buffer shall be determined at the time of Plan of Development review and approval.
5. **Architectural Design and Elevation.** All principal buildings, including canopies, on the Property shall be of colonial design including Southern Colonial, New England Colonial, Dutch Colonial and Georgian styles.
6. **Building Material.** The exposed portions of all exterior wall surfaces (front, rear and sides) of each building on the Property (excluding rooftop screening materials for mechanical equipment) shall be designed and constructed of similar materials. This proffer shall not preclude the use of a design that alternates a combination of permitted materials for architectural effect. Building materials shall consist of brick, stone, dryvitt, split face block or EFIS.
7. **Signs.** Identification signs shall be of a monument type design and shall not exceed fifteen (15) feet in height. All project identification signs shall be externally illuminated. Changeable messages shall be prohibited on any signs.

PROFFERS FOR THE R-5AC & RTHC PORTION OF THE PROPERTY:

1. **Elevations/Architecture/Conceptual Site Plan.** 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 and accent coloring different from any main brick coloring), varying colors of siding, varying window designs and varying doorway designs. The exterior walls of all dwellings shall be constructed with brick, stone, dryvit, vinyl siding, hardiplank or an equivalent, a combination thereof or such other materials approved by the Director of Planning. All trim shall be of a low maintenance material. All front steps shall be constructed of brick or such similar maintenance free material as approved by the County. There shall be no more than five (5) attached townhouse units per building. Development of the Property shall be similar with (i) the architectural appearance shown on the renderings entitled Exhibit B and attached hereto (see case file), and (ii) the site plan entitled New Market Village by Bay Design Group, dated August 23, 2006, with a revision date of November 29, 2006, Exhibit A and attached hereto, (see case file) unless otherwise requested and specifically approved at the time of Plan of Development or later by the Director of Planning. At least fifty percent (50%) of the single family dwellings shall have front

elevations constructed with a minimum of fifty percent (50%) brick or stone. House wrap will be installed during the construction of the exteriors of all houses.

2. **Density.** There shall be no more than one hundred and sixty eight (168) units developed on the Property.
3. **Minimum House Size.** Single Family Dwellings shall have a minimum of 2000 square feet of finished floor area. Townhouses shall have a minimum of 1900 square feet of finished floor area.
4. **Foundations.** The exposed exterior portions of any exterior residence foundation below the first floor level which is visible above grade, shall be constructed of brick or stone. All detached homes shall be built on a crawl space foundation. A minimum of one (1) foot of the exterior portions of the foundations above finished grade shall be constructed of brick or stone for all townhouses.
5. **Chimneys and Cantilevered Features.** No chimneys or gas vent units shall be cantilevered. The exposed portions of all fireplace chimneys shall be of brick, stone, or siding similar to the exterior treatment of the dwelling. The exposed bases of all chimneys shall be of the same material as the dwelling foundation. Architectural features may extend beyond the facade if supported by decorative corbels.
6. **Driveways.** No driveways serving individual dwellings shall have direct access to Darbytown Road or Willson Road. All driveways on each individual lot shall be paved within six (6) months following receipt of a certificate of occupancy. The type of pavement may include asphalt, concrete, exposed aggregate material or pavers made of brick, stone or concrete.
7. **Protective Covenants.** Prior to or concurrent with the recordation of the first subdivision plat approved by the County and before the conveyance of any portion of the Property covered by said subdivision plat (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. Storage or parking of recreational vehicles, boats and trailers will not be allowed outside.
8. **Street Lighting.** Lighting fixtures shall be provided and shall not exceed fifteen (15) feet in height above grade level. Lighting shall be non-glare, decorative in style, and residential in character.

9. **Underground Utilities.** Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
10. **Entrance Features.** One entrance onto Darbytown Road shall incorporate a boulevard-style median unless otherwise prohibited by any government agency and shall be landscaped and irrigated. The entrance sign shall be ground mounted, constructed of brick, stone, or like materials and no greater than six (6) feet in height with external lighting; similar in appearance to the attached Exhibit C (see case file).
11. **Landscaped Buffer along Darbytown Road.** A fifty (50) wide foot landscaped buffer shall be provided adjacent to the right-of-way line of Darbytown Road. The landscaping within the fifty (50) foot buffer shall at a minimum meet the Henrico County thirty-five (35) foot transitional buffer standards. Exceptions allowed within the buffer area shall include utility easements, signage, fences, entrance roads to the project, and other purposes requested and specifically permitted or required by the Planning Commission at the time of POD approval. A landscaped berm planted with trees, shrubs, and evergreens may be located within the fifty (50) foot buffer along Darbytown Road, without sidewalks.
12. **Mail Boxes.** All improved single family lots shall be required to have a mail box and supporting post of uniform design.
13. **Trash.** There shall be no central trash receptacles.
14. **Hours of Construction.** The hours of exterior construction including operation of bulldozers and other earthmoving equipment, shall be between 7:00 am and 7:00 p.m., Monday through Friday, and 8:00 a.m. and 5:00 p.m. on Saturday and Sunday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. Signs, in both English and Spanish, stating the above-referenced provisions shall be posted and maintained at all entrances to the Property prior to any land disturbances activities thereon.
15. **BMP as Water Feature.** If the BMP is a wet pond it shall be an aerated wet pond designed to be a water feature and an amenity to the Property, including the use of a fountain and/or aeration device within the BMP.
16. **Roads.** Prior to the issuance of the first permanent certificate of occupancy on the Property, the Owner shall provide the Planning Department with certification from a licensed engineering firm that the roadways within the relevant section or phase of development were constructed according to the approved Plan of Development and in compliance with Henrico County road design standards and

specifications to include proper compaction of the sub-base soils, utility trenches, base stone and asphalt surface, but excluding road widths and turning radii. The streets in the subdivision shall be constructed of asphalt and designed with standard six (6) inch curb and gutter.

17. **Yards.** All yards shall be sodded, exclusive of mulched flowerbeds and landscaping. An irrigation system shall be provided in all front yards and street side yards on corner lots.
18. **Sidewalks.** A four foot wide sidewalk will be installed with a planting strip, a minimum of two (2) feet, between the sidewalk and the curb. This sidewalk shall be installed along the front of all lots and along the frontage adjacent to the portion of the RTH parcel that is developed along Willson Road.
19. Interior walls between townhouse units shall be constructed with a combination of building materials and construction techniques to provide a minimum Sound Transmission Coefficient (STC) of 54. At the time of Plan of Development review for town-house development, the owner or developer shall submit construction details, with an architect's or engineer's seal, demonstrating that construction will provide the proffered STC. Prior to the issuance of a Certificate of Occupancy for any residential unit covered by this proffer, the owner or developer shall submit an architect's or engineer's certification that the wall and/or ceiling assemblies meet or exceed the proffered STC to the Building Official and the Director of Planning.
20. All units shall be marketed as owner-occupied.
21. **Passive Amenity.** A walking trail, with a surface texture of stone dust, shall be provided in the wetlands area unless otherwise prohibited by any government agency to connect to adjacent Baker Elementary School, if allowed.
22. **Garages.** All Single Family units will have two (2) car garages either attached or detached and all Townhouse units will have a one (1) car garage.
23. A clubhouse with a minimum of 2000 square feet and pool will be included as an amenity and will be built prior to occupancy of the 90th dwelling unit.
24. **Street Trees.** Street trees a minimum of 2½ inches diameter at breast height (D.B.H.) shall be installed every 35± feet along interior streets.
25. **C-1 Zoning.** A rezoning application shall be filed for C-1 zoning for the Resource Protection Areas within the property prior to the recordation of the subdivision plat for the last section of the property.

26. **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.

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: Michael, Katherine & Paul Towler
Director, Real Estate Assessment
Conditional Zoning Index
Dr. Penny Blumenthal, Dir. Research and Planning, Henrico County Schools

EXHIBIT A C-79C-05

DENSITIES

R-5A NET AREA	21.1± Ac.
R-5A UNITS	60 UNITS
R-5A DENSITY	2.84 un/ac
RTH NET AREA	27.8± Ac.
RTH UNITS	105 UNITS
RTH DENSITY	3.8 un/ac
TOTAL NET ACREAGE	48.9± Ac.
TOTAL UNITS	165 UNITS
TOTAL DENSITY	3.37 un/ac

NOTE: NET AREAS ARE THE GROSS AREA FOR THE ZONING CATEGORY MINUS THE FLOOD PLAIN AREA

JOB NO. 03123

THIS DRAWING IS THE PROPERTY OF BAY DESIGN GROUP, P.C. AND IS NOT TO BE REPRODUCED OR USED FOR ANY PROJECT IN WHOLE OR IN PART WITHOUT EXPRESS WRITTEN PERMISSION

FILED: 03123TEN

DESIGNED: DLC

CHECKED:

DATE: APRIL 4, 2006

REVISED: AUGUST 23, 2006

REVISED: NOV. 29, 2006

REVISED:



PROJECT OFFICE:
RICHMOND
9415-A ATLEE CONVERGE BLD.
AS-LAND VA 23006
(804) 550-4855
FAX: (804) 550-4857

OTHER OFFICE:
MIDDLE PENNSULA
5650 PARKWAY DRIVE
GLOUCESTER VA 23061
(804) 693-2993
FAX: (804) 693-2696

NORTHERN NECK
812 BATHMANWOOD DRIVE
WHITE STONE VA 22578
(804) 438-8425
FAX: (804) 438-8427

PROJECT:

New Market Village

varina district
henrico county, virginia

SHEET:

Concept Plan

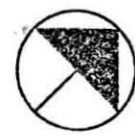
SHEET NO:

C1

JOB NO. 03123

MESSER ROAD

EXISTING SCHOOL



DARBYTOWN ROAD

WILLSON ROAD

FIRE STATION

S. LABURNUM AVENUE

EXHIBIT A

Scale: 1" = 100'



C-79C-05

EXHIBIT B



New Market Village

EXHIBIT B



Front Elevation



Left Side



Right Side



Rear Elevation

BELMONT
EXHIBIT "B"
ZONING CASE # 2-79C-05



ELEVATION A



ELEVATION C



ELEVATION H

EXHIBIT B

C-79C-05

FAIRMONT
EXHIBIT "B"
ZONING CASE # 2-79C-05



ELEVATION A



ELEVATION B

EXHIBIT B

C-79C-05

SHERWOOD
EXHIBIT "B"
ZONING CASE # 2-79C-05



ELEVATION A



ELEVATION B

EXHIBIT B

C-79C-05

SYCAMORE
EXHIBIT "B"
ZONING CASE # 2-79C-05



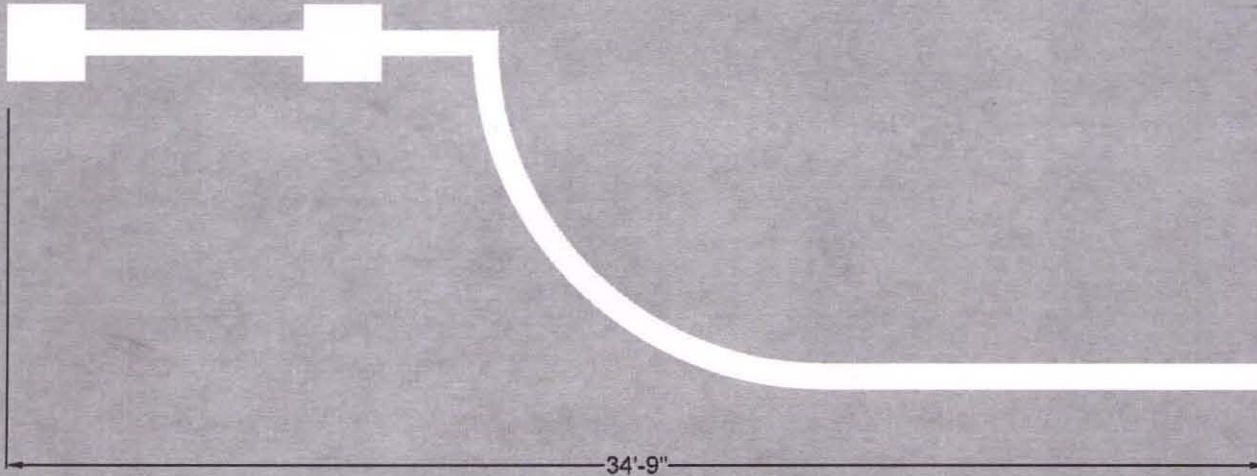
ELEVATION A



ELEVATION B

EXHIBIT B

C-79C-05



C-79C-05

EXHIBIT C



2012 Commerce Center Dr
 Brookville, MO 64015
 P 866-477-1111
 F 866-477-1111
 www.carousel-signs.com

New Market Village

CLIENT:
 StyleCraft Homes

SALES PERSON:
 CB

DESIGNER:
 JJ

SIGN:

Approved By:

Date:

SCALE:
 3/16" = 1'

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EXHIBIT C