

COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

April 17, 2007

Rockwood, Inc.
c/o Mr. Rob Slotnick
13 West Main Street
Richmond, VA 23060

Re: Conditional Rezoning Case C-49C-06

Dear Mr. Slotnick:

The Board of Supervisors at its meeting on April 10, 2007, granted your request to conditionally rezone from A-1 Agricultural District to R-5AC General Residence District (Conditional), Parcels 738-771-6301, 738-771-4105, and 738-771-2400, described as follows:

Beginning at a point on the east line of Pouncey Tract Road, which point is 1412 feet, more or less, north of Shady Grove Road; thence North 39°46'41" West 431.10 feet to a point; thence North 55°17'46" East 558.89 feet to a point; thence North 83°11'45" East 410.24 feet to a point; thence South 32°13'03" West 950.22 feet to the point of beginning containing approximately 7.081 acres.

The Board of Supervisors accepted the following proffered conditions, dated April 6, 2007, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Square Footage.** All dwellings shall have at least 2,800 square feet of finished floor area with an overall average of 3,100 square feet of finished floor area.
2. **Pouncey Tract Road Buffer and Landscape Strip.** A buffer and planting strip easement a minimum of twenty five (25) feet in width shall be provided along Pouncey Tract Road, which shall be planted to a Transitional Buffer 25 standard and landscaped in general conformance with the landscape plan attached hereto as Exhibit A (see case file), unless otherwise requested and approved at the time of landscape plan review. The buffer shall be common area owned and maintained

by the required homeowners' association established for the development and shall not be included in individual residential lots. Roads, trails, utility easements, access to BMPs, and fences/walls adjacent to any roads, signage and any other uses, which are specifically requested and approved at the time of Plan of Development or subdivision review, shall be permitted within such landscape strip.


3. **Foundations.** All homes shall either (a) be constructed on a crawl space with brick or stone foundations on all exterior sides; or (b) be finished with a minimum of twenty-four (24) inches of brick around the exterior portion of a building below the first floor elevation.
4. **Driveways.** All driveways shall be constructed of exposed aggregate concrete or pavers. No driveways serving individual residences shall have direct access to Pouncey Tract Road.
5. **Garages.** One hundred percent (100%) of the residences shall have two (2) car garages, of which at least fifty percent (50%) will be side or rear loading. All other garages shall be recessed from the front facade of the home a minimum of fifteen (15) feet.
6. **Protective Covenants.** Prior to or concurrent with the recordation of the first subdivision plat approved by the County of Henrico, restrictive covenants describing development controls and maintenance responsibilities for all common areas within the subdivision, including maintenance of the entrance feature, shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia.
7. **Exterior Materials.** All dwellings (including attached garages) on the Property shall have their exposed exterior walls (above finished grade) constructed of brick, stone, or cementitious siding, of which eighty percent (80%) of the siding on each dwelling shall be brick or stone or both, unless different architectural treatment and/or materials are specifically requested and approved at the time of Plan of Development or subdivision review. All dwellings shall have an appearance that is in general conformance with the elevations attached hereto as Exhibit B (see case file), unless otherwise requested and approved at the time of plan of development. Any side or rear façades of dwellings which face Pouncey Tract Road shall contain at least two (2) windows and other varied architectural features such as wrap around porches or dormers, unless specifically requested and approved at the time of Plan of Development or subdivision review. Roof materials shall consist of architectural textured shingles.
8. **Underground Utilities.** Except for junction boxes, meters and existing overhead utility lines or for technical or environmental reason, all utility lines shall be underground.

9. **Entrance Feature.** The main entrance from Pouncey Tract Road shall be complemented with landscaping and brick or stone monument entrance signs and fencing in general conformance with the elevation attached hereto as Exhibit C (see case file), unless otherwise approved at the time of plan of development or landscape plan review. Landscaping at the entrance feature shall include sod and an irrigation system.
10. **Curb and Gutter.** Standard six inch (6") curb and gutter meeting Henrico County requirements shall be provided within the development.
11. **No Cantilevering.** There shall be no cantilevered features on the first floor of residences, including, but not limited to, bay windows and chimneys. Cantilevered features are permitted on the second floor of residences so long as cantilevered features are supported by decorative corbels. This proffer shall not apply to direct vent fireplaces or appliances.
12. **Street Trees.** The neighborhood shall have a street tree landscape plan in which trees shall be planted on each side of the roadway a maximum of thirty-five (35) feet apart unless otherwise determined at the time of landscape plan review. The trees shall have a minimum caliper of 2 ½ inches at the time of planting.
13. **Yards.** Front, rear and side yards of all homes constructed on the Property shall be sodded and irrigated.
14. **BMPs.** Any wet BMPs shall be aerated.
15. **Construction Activity.** The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall only occur between 7:00 a.m. and 7:00 p.m., Monday through Friday, and between 8:00 a.m. and 4:00 p.m. on Saturday, with the exception of emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. No exterior construction shall occur on Sunday. All clearing, grading and construction contracts will contain these provisions. 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 disturbance activities thereon.
16. **Lot Width.** At least ninety percent (90%) of all buildable lots within the Property shall have a minimum lot width of 60 feet.
17. **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.

Rockwood, Inc.
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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: Gloria B. Wynn, et. al., c/o Linda Bakos
Caroline L. Nadal, Esquire
Dr. Penny G. Blumenthal, Dir., Research & Planning, Henrico County Schools
Director, Real Estate Assessment
Conditional Zoning Index



EXHIBIT A

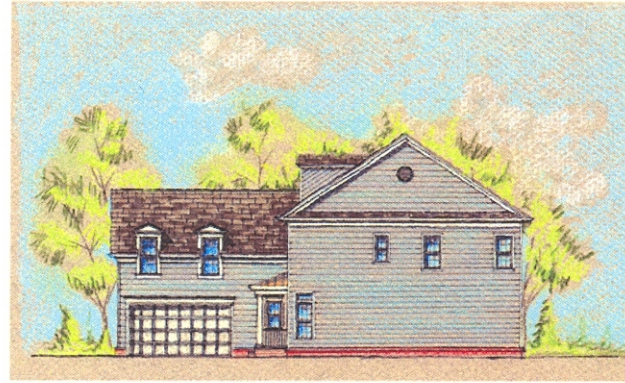
C-49C-06

James River Nurseries, Inc.

EXHIBIT B



FRONT ELEVATION



RIGHT SIDE ELEVATION



REAR ELEVATION



LEFT SIDE ELEVATION



LESSARD GROUP INC.
8521 LEESBURG PIKE, SUITE 700 VIENNA, VA 22182

P: 703.760.9344 F: 703.760.9328 WWW.LESSARDGROUP.COM

ELEVATIONS
SIDE LOAD UNIT

THE RESERVE
HENRICO COUNTY, VIRGINIA

ROCKWOOD, INC.
JANUARY 8, 2007 RCK.001A.00



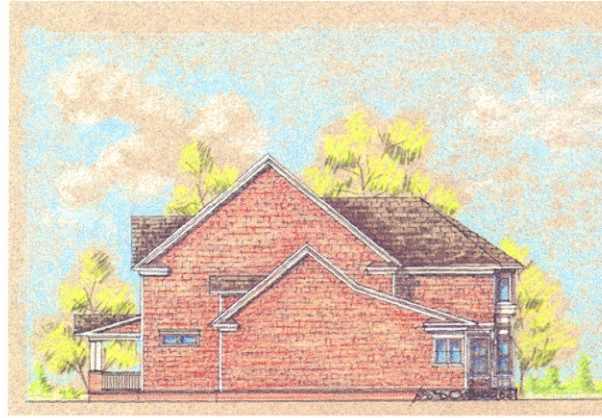
EXHIBIT B-1

C-49C-06

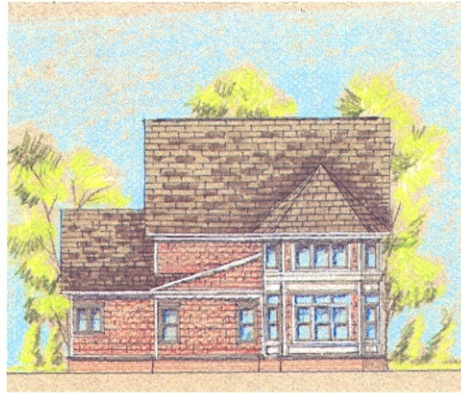
EXHIBIT B



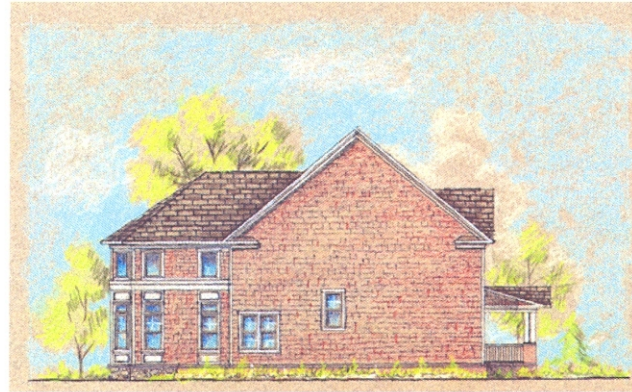
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**ELEVATIONS
FRONT LOAD UNIT**

EXHIBIT B-2

C-49C-06

THE RESERVE
HENRICO COUNTY, VIRGINIA
ROCKWOOD, INC.
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EXHIBIT B



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CONCEPTUAL STREETSCAPE ELEVATION

THE RESERVE
HENRICO COUNTY, VIRGINIA

ROCKWOOD, INC.
JANUARY 8, 2007 RCK.001A.00



EXHIBIT B-3

C-49C-06



EXHIBIT C

C-49C-06