

O-1 & C-1
 to R-6C
 8.7 Ac.

County of Hanover

Chickahominy River

Presbytery Center

PRESBYTERY C

Virginia Center Commons Shopping Mall

A-1

R-2AC

Prop. Sweetbay Hills

R-2AC

A-1

C-1

BROOK RD

C-1

TELEGRAPH RD

O-2

A-1

WOODMAN RD.

50' RW EASEMENT

B-2C

A-1

BROOK RD

B-2C

B-3C

Magnolia Ridge

R-2AC

O-2C

R-3AC

J.E.B. STUART PKWY.



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

March 20, 2007

First Centrum of Virginia, Inc.
c/o Mr. Charles Bradbury
21400 Ridgetop Circle, Suite 250
Sterling, VA 20116

Re: Conditional Rezoning Case C-55C-06

Dear Mr. Bradbury:

The Board of Supervisors at its meeting on March 13, 2007, granted your request to, to conditionally rezone from O-1 Office District and C-1 Conservation District to R-6C General Residence District (Conditional), Parcel 783-772-1148, described as follows:

Beginning at a VDOT monument, said monument being southwest of the intersection of the westerly right-of-way line of Brook Road - U.S. Route 1 and south right-of-way line of Presbytery Court, and; thence following the right-of-way line of the said Brook Road - U.S. Route 1, S 06°41'58" E for 50.16' to a common corner point with property of Sauer Properties, Inc.; thence S 84°14'01" W along the property of the aforesaid Sauer Properties, Inc. for 513.22' to a found iron rod, iron rod also being a common property line to Herman S. Fletcher, Jr., et al.; thence leaving the property of Sauer Properties, Inc. and following along the property of Herman S. Fletcher Jr., et al., N 05°45'59" W, for a distance of 914'± to the centerline of the Chickahominy River and being a common river boundary with Hopkins Properties II, LLC and the Henrico/Hanover County Line; thence departing the property of Herman S. Fletcher Jr., et al., corner point, in a south-easterly direction following along the Chickahominy River also being Hopkins Properties, II, LLC river boundary and also the county line, for 497'± to a point on the west right-of-way line of Brook Road - U.S. Route 1; thence leaving the common river boundary of Hopkins Properties II, LLC and the Henrico/Hanover County line, S 15°15'16" E along the Brook Road - U.S. Route 1 right-of-way for 65'± to a rod set; thence along said right-of-way S 05°42'44" E for 401.30' to a rod set; thence S 10°53'41" E for 132.46' to a found VDOT monument; thence along the Brook Road - U.S. Route 1 right-of-way S 40°03'09" W for 31.49' to a found VDOT monument; thence leaving the Brook Road - U.S. Route 1 right-of-way and continuing with the Presbytery Court right-of-way S 82°49'19" W for 49.90' to a found stone; thence along a curve to the right, having a

radius of 275.00' an arc length of 115.92' and a chord bearing N 83°41'29" W, for 115.06' to a found stone; thence along a curve to the right having a radius of 40.00' an arc length of 51.03' and a chord bearing N 35°04'05" W, for 47.64' to a found stone; thence along a curve to the left with a radius of 50.00' an arc length of 204.94' and a chord bearing S 64°03'22" W for 88.76' to a point; thence along a curve to the left with a radius of 325.00' an arc length of 240.50' and a chord bearing S 74°34'01" E for 235.05' to a found stone; thence N 84°14'01" E for 47.14' to a found VDOT monument; thence leaving Presbytery Court right-of-way and following Brook Road - U.S. Route 1 right-of-way, S 48°00'31" E for 67.33' to a found VDOT monument, said monument being the place and point of beginning, containing 8.7± acres more or less.

The Board of Supervisors accepted the following proffered conditions, dated February 15, 2007, which further regulates the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

Use

1. **Use.** The only principal use permitted on the Property shall be apartments which, except as otherwise prohibited by the Virginia Fair Housing Law, the federal Housing Law, and such other applicable federal, state, or local legal requirements, shall be administered in such a manner as to restrict occupancy of residential dwelling units to "housing for older persons" as defined in the Virginia Fair Housing Law and shall have no persons under 55 years of age residing therein (the "Principal Use"). Other uses permitted on the Property shall be customarily accessory and incidental to the Principal Use.

Buildings

2. **Exterior Materials.** The exposed portion of each exterior wall surface (front, rear and sides) of any building (excluding rooftop screening materials for mechanical equipment) shall be similar to the exposed portions of other exterior walls of such building in architectural treatment and materials. Any building shall have exposed exterior walls (above finished grade) of brick, wood, E.I.F.S., cementitious, vinyl or composite-type siding, or a combination of the foregoing in substantial conformance with the elevations attached hereto as Exhibit C (see case file), unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development. No building shall be covered with or have exposed to view any painted or unfinished concrete block, sheet or corrugated aluminum or metal, unless otherwise specifically approved at the time of Plan of Development.
3. **Building Height.** No apartment building on the Property shall exceed sixty (60) feet in height from average finish grade of the building to the midline of the roof, and no clubhouse on the Property shall exceed forty-five (45) feet in height from

average finish grade of the building to the midline of the roof.

4. **Sound Suppression Measures.** Interior dwelling unit separation walls between residential units and floor/ceiling assemblies between residential units shall be designed to have a minimum sound transmission coefficient rating of 54 as evidenced by a cross-sectional detail, reviewed and approved by a certified architect or engineer, as to the approved assembly accomplishing the sound coefficient rating, which shall be included in the building permit application.

Site Development

5. **Sidewalks/Pedestrian Accessways.** Subject to obtaining all required governmental easements, approvals and permits and concurrent with the development of any portion of the Property, a standard size pedestrian sidewalk of no less than five (5) feet in width shall be installed as shown on the Conceptual Plan entitled "Centrum Place for Centrum Glen Allen LP," prepared by AES Consulting Engineers and attached hereto as Exhibit B, (the "Concept Plan") (see case file) in order to provide access ways between major project areas. The sidewalk shall also connect to the existing sidewalk along Brook Road. Sidewalks shall be provided in a manner approved at the time of Plan of Development.
6. **Aerated BMP.** Any above-ground wet stormwater management facilities located on the Property shall be aerated, designed and utilized as a water feature amenity, and designed and landscaped to make it an integral part of the development.
7. **Central Trash Receptacles.** Any central trash receptacles, not including convenience cans, shall be screened from public view at ground level in a manner approved at the time of Plan of Development. Materials used for screening any outdoor central trash receptacles shall be similar to those which are utilized in the primary buildings. Any enclosure shall be gated with an opaque material.
8. **Parking Lot Lighting.** Parking lot lighting standards shall not exceed fifteen (15) feet in height above grade level. All parking lot lighting fixtures shall be of low intensity, and to any extent, no less than one-half (1/2) footcandle, and shall have concealed light sources positioned in such a manner as to minimize the impact of such lighting on any adjacent property.
9. **Signage.** Any detached signs shall be ground-mounted monolithic-type signs, and shall have an architectural appearance similar in character to the elevations attached hereto as Exhibit A, (see case file).
10. **Underground Utilities.** Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.

11. **Conceptual Plan.** Development of the Property shall be in general conformance with (i) the Concept Plan, which Concept Plan is conceptual in nature and may vary in detail; and (ii) the architectural appearance shown on the elevation attached hereto as Exhibit C, (see case file) unless otherwise requested and specifically approved at the time of Plan of Development.

Miscellaneous

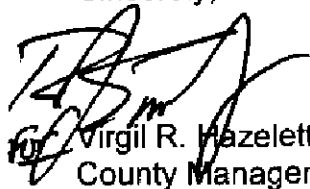
12. **Community Amenities.** The Property shall have a clubhouse with a minimum of four thousand (4,000) square feet of finished floor area which shall be constructed with the first stage of development of the site. The clubhouse shall offer amenities to community residents and their invited guests, which shall include, but shall not be limited to, a decorated lobby and lounge area, community room, fitness center, and multi-purpose room.
13. **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.
14. **Conservation Areas.** Notwithstanding the uses permitted and regulated by the zoning of the Property, such portion(s) of the Property which lie within a one hundred (100) year floodplain as determined by definitive engineering studies approved by the Department of Public Works; may only be used for the following purposes:
 - a. Storm water management and/or retention areas.
 - b. Ponds, lakes and similar areas intended as aesthetic and/or recreational amenities and/or wildlife habitats.
 - c. Access drives, utilities, signage, walkways and recreational facilities installed in a manner to minimize their impacts.
 - d. Such additional uses to the uses identified in (a), (b) and (c) above as may be deemed compatible and of the same general character by the Planning Administrator (Director of Planning) pursuant to Chapters 19 and 24 of the Henrico County Code;

and the Owner shall, prior to Plan of Development approval, apply to rezone such portions of the Property to a C-1 Conservation District.

First Centrum of Virginia, 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,



Virgil R. Hazelett, P.E.
County Manager

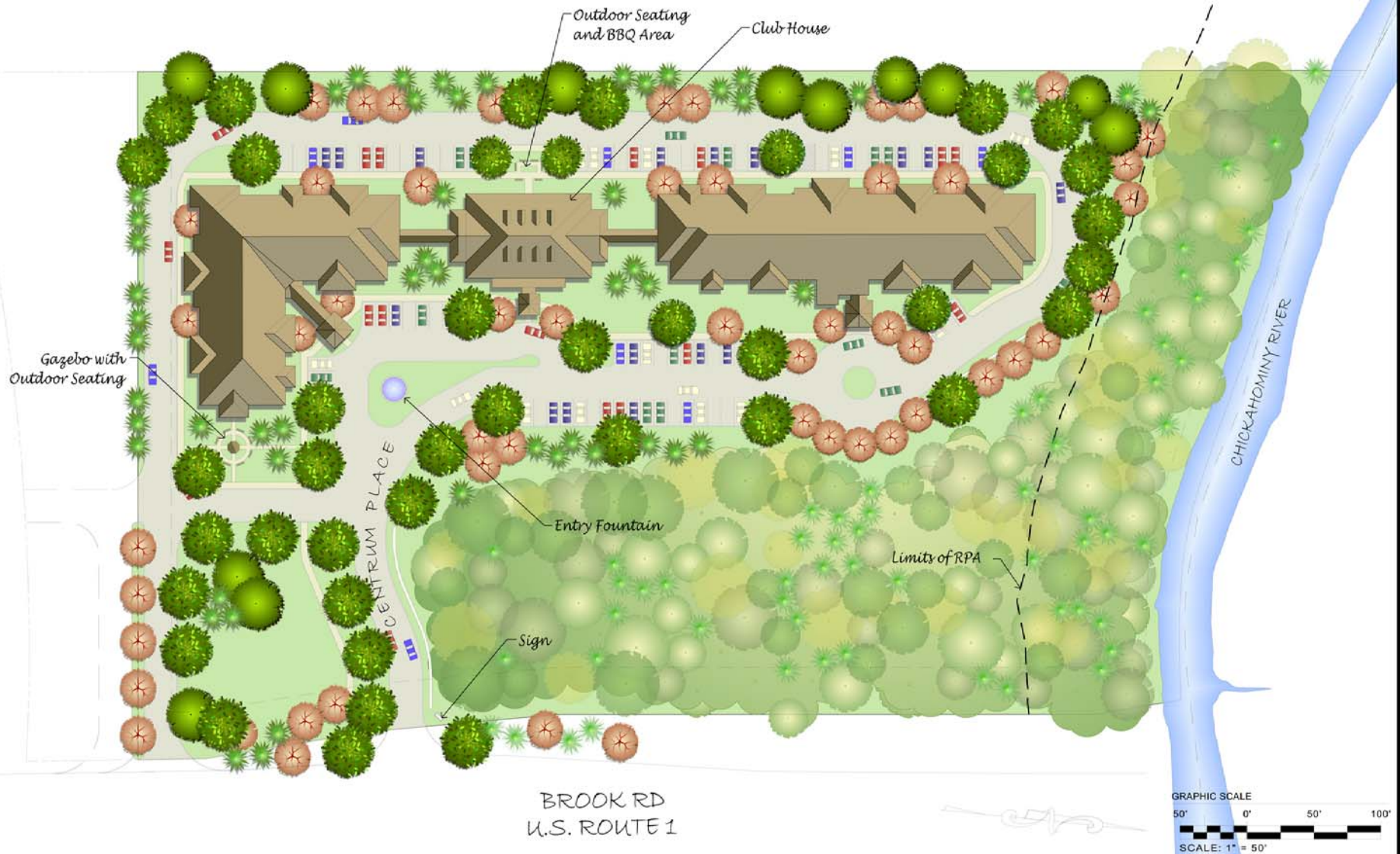
pc: Ms. Mary Baril
Caroline L. Nadal, Esquire
Dr. Penny Blumenthal, Dir., Research & Planning, Henrico County Schools
Director, Real Estate Assessment
Conditional Zoning Index

EXHIBIT A
TYPICAL SIGN DESIGNS



EXHIBIT A

C-55C-06



614 Moorefield Park Drive
Richmond, Virginia 23236
(804) 330-8040
Fax (804) 330-9840

WILLIAMSBURG • RICHMOND • GLOUCESTER

Illustrative Plan
of
CENTRUM PLACE
for
Centrum Glen Allen LP

COUNTY OF HENRICO BROOKLAND DISTRICT VIRGINIA

EXHIBIT B

C-55C-06

012407



EXHIBIT C

C-55C-06