

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

C-58C-07
Zoning
 Single-Family Residential
 Fairfield District

500 Feet

PS September 2007 Ref: 815-721-3551



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

December 18, 2007

Emerald Land Development, LLC
Attention: Mr. Mark Rempe
1718 East Cary Street
Richmond, VA 23223

Re: Conditional Rezoning Case C-58C-07

Dear Mr. Rempe:

The Board of Supervisors at its meeting on December 11, 2007, granted your request to conditionally rezone from A-1 Agricultural District and C-1 Conservation District to R-3C One-Family Residence District (Conditional), described as follows:

Beginning at a point on the south line of Oakley's Lane, approximately four miles south of Nine Mile Road and one half a mile west of South Laburnum Avenue, bearing east along the south line of Oakley's Lane S 71°08'20" E distance of 979.54 feet to a point; continuing along Oakley's Lane a curved line bearing southeast a distance of 134.05 feet at R=160.00 to a point; bearing S 23°10'10" E southeast a distance of 641.98 feet along the south line of Oakley's Lane to a point; leaving Oakley's Lane bearing S 79°33'40" W southwest a distance 319.4 feet to a point; bearing south S 17°35'40" W 1256.03 feet along the west property line of the property formerly known as Burroughs and Mankin to a point; bearing N 81°36'38" W southwest 1295.07 feet along the north line of Southern Railroad to a point; bearing N 18°45'20" E a distance of 2177.18 feet along the east line of Heckler's Farm to the point and place of beginning containing 60.51 acres.

The Board of Supervisors accepted the following proffered conditions, dated December 9, 2007, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Maximum Density.** The maximum number of building lots on the property shall not exceed one hundred and thirty-two (132).
2. **Dwelling Design.**
 - a. **Minimum Finished Floor Area:** The minimum finished floor area for all dwellings shall be eighteen hundred (1,800) square feet.

- b. Exterior Materials. The exterior of all dwellings shall be constructed of, brick, brick veneer, fiber cement siding, vinyl, stone, synthetic stone, or similar masonry material. If vinyl is used then the thickness of the vinyl shall be a minimum of .042" and manufacturer's printed literature shall be provided as evidence at the time of building permit application. A minimum of 15% of the dwellings shall have 100% brick or stone on the dwelling's front facade.
 - c. Foundations: The main portion of the dwelling shall not be constructed on a slab, provided that garages, patios and out buildings may be constructed on a slab. The exposed exterior portion of all dwelling foundations and front stoops and front steps shall be brick, brick veneer, stone, synthetic stone or similar masonry material.
 - d. Fireplace Chimneys: The exposed portion of a fireplace chimney shall be clad in brick, brick veneer, stone, synthetic stone or similar masonry material. No chimney or gas vent unit shall be cantilevered. This proffer shall not apply to direct vent gas fireplaces or appliances.
 - e. Garages: Each dwelling shall be constructed with an attached garage. A minimum of 50% of the dwellings shall have a two-car garage. Two-car garages shall have interior dimensions free of as-built obstruction of at least 18 feet in width and at least 20 feet in depth. One-car garages shall have interior dimensions free of as-built obstruction of at least 10 feet in width and at least 20 feet in depth.
 - f. No closets or windows shall be cantilevered.
 - g. The architectural appearance of the dwellings shall be generally consistent with the buildings depicted by Exhibit A (see case file), unless otherwise requested and approved by the Director of Planning.
3. **Landscaping and Foundation Plantings and Buffering.** All homes shall be provided a landscape package. A diversity of plant materials will be used, including a variety of ground cover, plants and trees. Prior to the issuance of a final C.O. for any individual dwelling, a minimum of 6 trees or shrubs (or a combination thereof) for the front elevation and a minimum of 3 additional trees or shrubs (or a combination thereof) per side elevation shall be provided. Street trees shall be provided along both sides of all internal roadways at intervals of not more than 35 feet and within 10 feet of the property line (right-of-way), unless otherwise approved at the time of subdivision review. A 50-foot buffer (to remain in its natural state) shall be provided along the eastern side of the parcel adjacent to GPIN 816-721-1410. A 20-foot wide buffer (to remain in its natural state) shall be provided along the southern side of the parcel. A 35-foot natural buffer to be supplemented with street trees at intervals of not less than 35 feet and additional landscaping as needed to meet the requirements for a thirty-five foot transitional buffer shall be provided along the ultimate right-of-way of Oakley's Lane. The applicant may supplement all aforementioned buffers with additional plantings to exceed the stated requirements, as approved by the

Director of Planting. Underbrush, fallen, diseased or dead trees and plant growth may be removed from any buffer area; if such underbrush, trees, and plant growth are removed, additional supplemental plantings shall be added to such buffer as approved by the Director of Planning. Utility easements, driveways, roads and signage may be permitted in any buffer as approved at the time of subdivision review. Cutting, grading and other construction as needed for road, lot and utility improvements may take place within any such buffer so long as landscaping is replanted as required by the Director of Planning. Any such new road or new utility easement shall be extended generally perpendicular to such buffer.

4. **Dwelling Orientation.** Dwellings shall not be situated on a lot in a manner where the front of one house fronts the rear of another house. No stem lots shall be permitted.
5. **Driveways.** All driveways shall be constructed of exposed aggregate, concrete, brick, stone, asphalt or pre-cast pavers.
6. **Road and Curb and Gutter.** All roads shall be constructed with 6" standard full faced curb and gutter.
7. **Underground Utilities.** All utilities except for junction boxes, meters and existing overhead utility lines or for technical or environmental reasons shall be installed underground.
8. **C-1 Zoning.** Applicant shall file an application for C-1 zoning for the areas within the Property that are within the 100 year flood plain, unless such areas are needed for roads, access ways or other purposes approved or required by the Planning Commission or any other governmental body or official at the time of subdivision review. The application for C-1 shall be filed no later than final subdivision approval. The acreage then zoned C-1 may or may not be included in any subdivision or lot on the Property, at the sole discretion of the Applicant.
9. **Storm-Water Facilities.** Any wet Best Management practice areas shall be aerated and landscaped as approved by the Planning Commission at the time of subdivision review. Any dry Best Management Practice areas shall be screened from any public and/or private roadways with landscaping as approved by the Planning Commission at the time of subdivision review.
10. **Protective Covenants/Homeowners Association.** Prior to or concurrent with the recordation of the 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. In addition there shall be a Homeowners Association of the property owners that shall be responsible for the enforcement of the restrictive covenants and the maintenance

of the common area, which common area shall include the areas noted on the Concept Plan (see case file) as buffers, open space and SWM/BMP. These proffers accepted with this case shall be attached as an exhibit to and recorded with such protective covenants. The restrictive covenants shall provide for uniform mailboxes and post lights and prohibit wooden stockade-style fences.

11. **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.
12. **Conceptual Site Plan.** The Property shall be developed generally consistent with the layout plan entitled "OAKLEY'S CHASE, CONCEPTUAL PLAN, HENRICO COUNTY, VIRGINIA", prepared by Balzer and Associates, revised conceptual plan last revised as of 12/5/07 (see case file). The Concept Plan is conceptual in nature and may vary in detail as the exact locations of lots and roads shown thereon may be revised for engineering reasons, as required by any governmental authority or as otherwise approved by the Planning Commission at the time of subdivision review.
13. **Hours of Construction.** The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall be between 7:00 a.m. and 7:00 p.m., Monday through Friday, and 9:00 a.m. and 6:00 p.m. on Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. Exceptions shall require the Director of Planning's approval. Construction signs shall be posted in English and in Spanish. The construction sign shall state the hours of construction and that construction traffic is prohibited from using Orinda Drive and Dalglish Road.
14. **Compliance Certification.** Upon request by the Director of Planning, the developer shall provide the County with the necessary calculations that illustrate that the dwellings and lots constructed in the subdivision are in compliance with all the allowable and required percentages set forth in these proffers.
15. **Recreation Amenities.** Prior to the issuance of the final certificate of occupancy for the thirty-fifth (35th) dwelling, a tot lot containing at least 0.4 of an acre shall be constructed within the open space area for use in common by owners of the lots and their invitees. The tot lot shall include, but not be limited to, play equipment and/or an open recreation area, benches, and trash receptacles.
16. **Entrance Sign.** An entrance sign and landscaping shall be placed at the entry to the subdivision along Oakley's Lane. The sign shall be a monument sign constructed of brick, brick veneer, stone, synthetic stone or similar masonry material, or some combination thereof.

Emerald Land Development, LLC
December 18, 2007
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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,

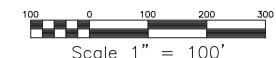


Virgil R. Hazelett, P.E.
County Manager

pc: Edward E. West
Stephen N. West
Andrew M. Conclin, Esq.
Dr. Penny G. Blumenthal, Dir., Research & Planning, Henrico County Schools
Director, Real Estate Assessment
Conditional Zoning Index

OAKLEYS CHASE CONCEPTUAL PLAN

OAKLEYS PL



Scale 1" = 100'

NOTES:
 PROPOSED ZONING: R-3
 SITE AREA: ±59.2 AC
 MIN. AREA: 11000 SF
 MIN. WIDTH: 80'
 YARD SETBACKS:
 FRONT- 40'
 REAR- 40'
 SIDE- 15' TYP. 12' MIN
 GPN: 8157213351
 WATER: PUBLIC
 SEWER: PUBLIC

C-58C-07

120707



501 Branchway Road
 Richmond, Virginia 23236
 Phone: 804/794-0571
 FAX: 804/794-0535

1108 Courthouse Plaza
 Mechanicsville, VA 23103
 Phone: 804/550-0550
 FAX: 804/550-0550

1000 Sunrise Road, Park Office
 Suite 200
 Chester, VA 23834
 Phone: 804/620-2121
 FAX: 804/620-2121

1102 Lakeside Drive
 Mechanicsville, VA 23103
 Phone: 804/550-0551
 FAX: 804/550-0550

1999 Commerce Road
 Suite 201
 Chester, VA 23834
 Phone: 804/620-2121
 FAX: 804/620-2121

DRAWN BY: CWF
 DESIGNED BY: STG
 CHECKED BY: STG
 DATE: 08/23/2007
 REVISIONS:
 10/16/07
 11/16/07
 12/6/07

SCALE: 1"=100'
 SHEET NO.
1 OF 1
 JOB NO.
 C0700426.02

OAKLEYS CHASE
 CONCEPTUAL PLAN
 HENRICO COUNTY, VIRGINIA



EXHIBIT A

C-58C-07



EXHIBIT A

C-58C-07



EXHIBIT A

C-58C-07



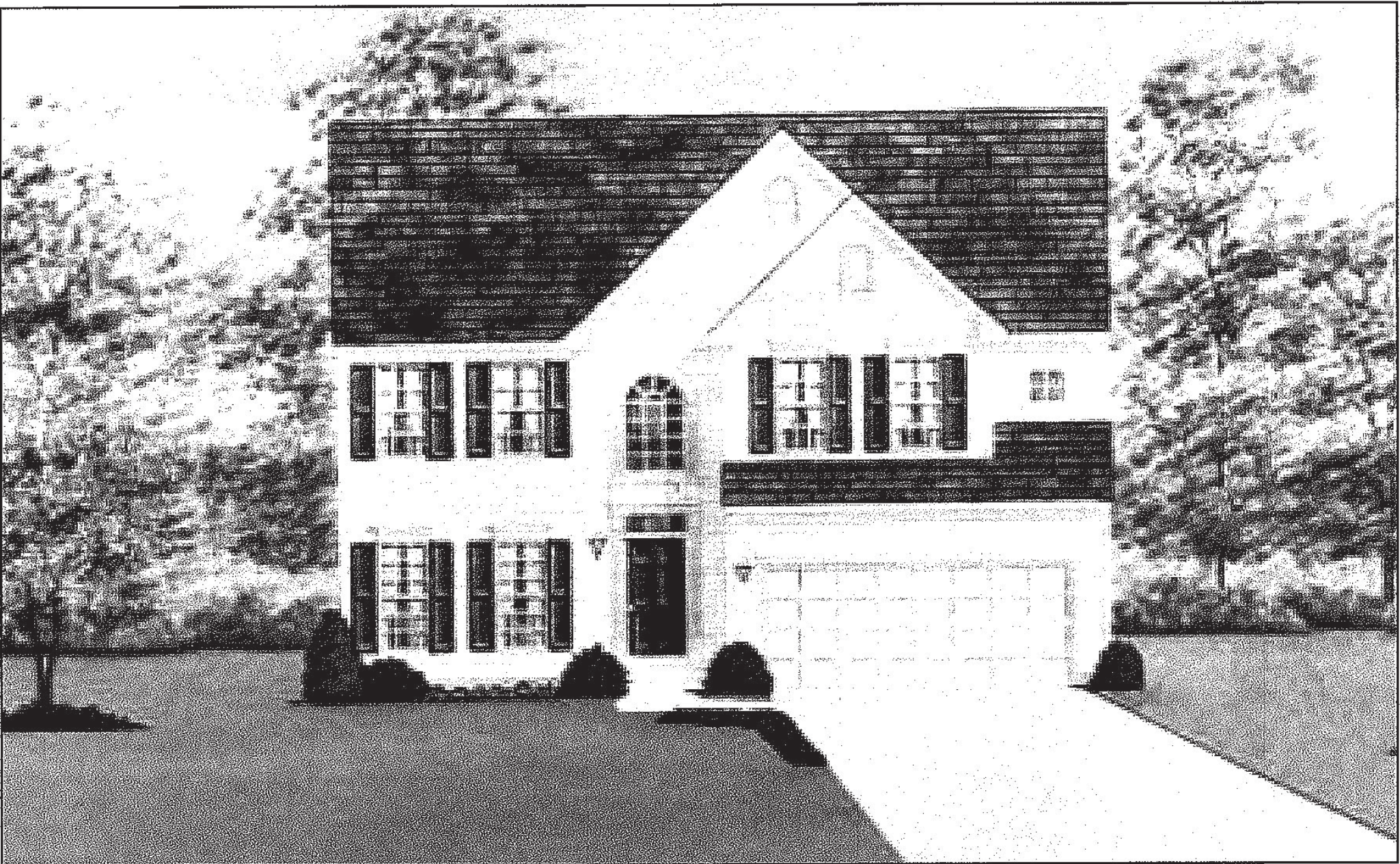
EXHIBIT A

C-58C-07



EXHIBIT A

C-58C-07



The Jasmine
by

EXHIBIT A

C-58C-07

Ryan
Homes