



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.
County Manager

October 21, 2008

UCP Limited Partnership
P.O. Box 8320
Richmond, VA 23226

Re: Conditional Rezoning Case C-31C-08

Dear Sir:

The Board of Supervisors at its meeting on October 14, 2008, approved your request to conditionally rezone from B-1 Business District to RTHC Residential Townhouse District (Conditional), part of Parcel 832-714-1636, described as follows:

Beginning at a point on the western line of Whiteside Road, being S 31°28'00" E, 87.28' from the intersection of the southwest corner of said Williamsburg Road and Whiteside Road; thence, (1) in a southwardly direction, S 31°28'00" E, 112.40' to a point; thence, (2) in a westwardly direction, S 58°32'00" W, 303.09' to a point; thence, (3) continuing in a westwardly direction, N 70°34'54" W, 543.83' to a point; thence, (4) continuing in a westwardly direction, S 68°18'30" W, 70.00' to a point; thence, (5) continuing in a westwardly direction, S 89°54'20" W, 200.72' to a point on a 16' road; thence, (6) in a northwardly direction along said 16' road, N 00°07'00" E, 506.80' to a point on the southern line of Williamsburg Road; thence, (7) in an eastwardly direction along the southern line of Williamsburg Road, S 70°34'54" E, 457.05' to a point; thence, (8) in a southwardly direction, S 01°59'54" E, 218.83' to a point; thence, (9) in an eastwardly direction, N 87°08'59" E, 219.33' to a point; thence, (10) in a northwardly direction, N 00°09'14" W, 72.81' to a point; thence, (11) in an eastwardly direction, S 70°34'54" E, 59.23' to a point, the point of curve; thence, (12) continuing in an eastwardly direction along a curve to the right having a radius of 5,567.58', a length of 282.64', and a chord bearing and distance of S 69°07'38" E, 282.61' to a point, the Point of Beginning. The herein described parcel of land contains 7.461 acres, 325,030.96 square feet.

The Board of Supervisors accepted the following proffered conditions, dated October 14, 2008, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Conceptual Layout Design.** The construction of the Property shall be comparable in style, location, and quality to the Conceptual Master Plan known as "Cabell Green" and marked Exhibit A (see case file), unless otherwise

approved by the Planning Commission at the time of Subdivision or Plan of Development review.

2. **Conceptual Building Design.** The homes constructed on the Property shall be comparable in style and quality to the elevations marked Exhibits B-1 to B-3 (see case file), unless otherwise approved by the Planning Commission at the time of Subdivision or Plan of Development review.
3. **Building Materials.** Any building shall have exposed exterior walls (above finished grade) of brick, wood, cementitious, vinyl or composite-type siding, or a combination of the foregoing, unless different architecture treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development review. If vinyl siding is used it shall be a minimum of 0.0420 inches in thickness and siding thickness certification shall be provided at the time of building permit application. A minimum of sixty percent (60%) of the units shall have brick fronts.
4. **Road Standards.** Prior to the issuance of any certificate of occupancy the applicant shall provide the Planning Department with certification from a licensed engineering firm that the roadway within the project was constructed according to the approved subdivision plan and in compliance with Henrico County road design standards and specifications (except as to pavement width and turning radii) to include proper compaction of the sub-base soils, utility trenches, base stone, and asphalt surfaces.
5. **Underground Utilities.** Except for junction boxes, meters, and existing overhead utility lines, and technical and environmental reasons, all utility lines shall be underground.
6. **Trash Service.** Trash pick up service shall be provided in convenient locations and shall not commence before 6:00 a.m. or extend beyond 9:00 p.m.
7. **Signage.** The sign identifying the residential community on the Property shall be constructed with ground mounted brick or stone base and not exceed six (6) feet in height as required by the zoning ordinance for the RTH District. Identifying signage shall be similar to that shown in the architecture rendering marked Exhibit C (see case file).
8. **Buffers.** In addition to setbacks, a twenty foot (20) buffer shall be provided along the western boundary of the Property. The area will be left in its natural state or enhanced with additional plantings. This buffer shall remain generally undisturbed except for access, signage, utilities, and fencing unless otherwise specifically requested and approved by the Planning Commission at the time of POD. Such intrusions into or through the buffer shall be extended generally perpendicular thereto and where practicable and permitted, areas disturbed shall be restored. No best management practice facilities shall be permitted in this buffer area. Dead, diseased, or damaged vegetation may be removed, and if so, the buffer

may be supplemented with new plantings. In addition, perimeter landscaped areas 10 feet in width shall be provided along the south and southeastern Property boundary and along the southern, eastern, and western boundaries of the central B-1 property (Henrico County GPIN 832-714-3049). All of these areas will be planted in accordance with the Transition Buffer 10 standard of Henrico County. A minimum 10 foot landscape area shall be provided on the western portion of the Property fronting on Route 60 and shall be planted in accordance with Transitional Buffer 10 of Henrico County. This landscape buffer along Route 60 shall be irrigated. Additionally, the landscape improvements outlined in the letter from UCP Limited Partnership (owner) to Mr. Joe Emerson, and dated September 5, 2008, shall be made by the developer of the Property prior to the issuance of any certificate of occupancy on the Property. In addition a black chain link fence, minimum 5 feet in height, shall be installed along the south boundary of the Property. This fence shall continue a minimum of fifteen (15) feet along the western boundary. A "living fence" no less than 6' in height similar to the one shown in Exhibit D (see case file), shall be installed on the east, west and southern boundaries of the central located B-1 property (Henrico County GPIN 832-714-3049).

9. **Lighting.** Each unit shall be provided with a residential outdoor light mounted on a metal pole. Mounting height shall be six (6) feet. In addition, parking lot lighting shall be provided and a lighting plan shall be submitted with the engineering plans. The maximum parking lot light fixture height shall be 15 feet.
10. **Density.** No more than 45 homes shall be permitted on the Property.
11. **Minimum size.** The minimum finished floor area of each unit shall be 1583 or 1879 square feet in accordance with the following sentences. No more than eight of the units shall be a minimum of 1583 square feet; these units shall be located at the end of larger groupings and be consistent with the appearance shown in Exhibit B-1 (see case file). The remainder of the units shall be a minimum of 1879 square feet in finished floor area and shall be consistent with the architectural appearance shown in Exhibits B-2 and B-3 (see case file). The minimum unit width shall be twenty (20) feet.
12. **Garages.** Each dwelling unit shall have an attached one-car garage. Each one-car garage shall have a minimum interior clear area of 18' by 9'.
13. **Landscape and Irrigation.** Sod and irrigation shall be provided for the front and side yard common areas of the units.
14. **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 proffers or the unaffected part of any such proffer.
15. **Sidewalks.** Sidewalks meeting Henrico County Design standards shall be provided along one side of interior roads.

16. **Recreation Areas.** Recreation areas shall be provided and shall include walking trails and centrally located open space similar to those shown on the proffered conceptual plan. Walking trails and open space shall be designated on the POD plans and their exact size and location shall be determined by final engineering and construction. Tree save areas shall be marked on the engineering plans.
17. **Sound Suppression.** A minimum of sound suppression level of 54 between dwelling units shall be provided. Construction details certified by an engineer or architect and demonstrating that this requirement has been met shall be submitted with any building permit application.
18. **Dumpster Screening.** Any dumpster(s) shall be screened using architectural materials similar to those used on the dwelling units. A dumpster and screening detail shall be provided on the POD plans.
19. **Foundations.** Brick veneer/facade shall be used on all units with exposed foundations. Steps to the main entrance shall be faced in brick. Units with chimneys on the ground level shall have brick veneer/facade foundations. Units with chimneys on the second level shall be surrounded by an outdoor deck.
20. **Fire Suppression.** All units shall be provided with a residential fire suppression system.
21. **Unit Row Limitation.** No more than six (6) units shall be constructed together in a row on the Property.
22. **End Units.** Each end unit shall have a minimum of one (1) side window.
23. **Construction hour limits.** Exterior construction shall be limited to 7:00 a.m. to 7:00 p.m. Monday - Friday and 10:00 a.m. to 7:00 p.m. on Saturdays.
24. **Restrictive Covenants.** Prior to or concurrent with the recordation of a subdivision plat approved by the County and before 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.
25. **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.

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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,

A handwritten signature in black ink, appearing to read "V. Hazelett", written over a horizontal line.

Virgil R. Hazelett, P.E.
County Manager

pc: James F. Shepherd, PLLC
William Russell Jones, III
Dr. Martha G. Blumenthal, Dir., Research & Planning, Henrico County Schools
Director, Real Estate Assessment
Conditional Zoning Index



SITE TABULATION:

GPIN: 832-714-1636
 AREA: 7.46 ACRES
 EXISTING ZONING: B-1
 PROPOSED ZONING: RTH-C
 PROPOSED UNITS: 45
 PARKING REQUIRED: 101 SPACES
 (45 X 2.25 = 101)
 PARKING PROVIDED: 110 SPACES

CONCEPTUAL PLAN DISCLAIMER

THE INFORMATION PROVIDED HEREON IS FOR CONCEPTUAL PURPOSES ONLY, AND IS BASED ON CURRENT REGULATIONS AND EXISTING INFORMATION AVAILABLE. DETAILED PLANNING, ENGINEERING AND SURVEYING MUST BE COMPLETED DURING THE NORMAL PLAN PREPARATION PROCESS AND ALL JURISDICTIONAL APPROVALS MUST BE OBTAINED. THE CONCEPTUAL INFORMATION SHOWN HEREON IS SUBJECT TO CHANGE AS THE PROJECT PROCEEDS THROUGH THE DEVELOPMENT PROCESS.

PREPARED BY:
 JAMES F. SHEPHERD, PLLC
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PREPARED:
 JULY 10, 2008

REVISED:
 SEPTEMBER 6, 2008

CABELL GREEN CONCEPTUAL MASTER PLAN

WILLIAMSBURG ROAD SANDSTON, VIRGINIA
 VARINA DISTRICT HENRICO COUNTY

EXHIBIT A

C-31C-08

GRAPHIC SCALE 1" = 50' - 0'



100808

PROPOSED ELEVATION



3-STORY
1583 SQUARE FEET

EXHIBIT B-1

C-31C-08

PROPOSED ELEVATION



3-STORY

1887 SQUARE FEET

EXHIBIT B-2

C-31C-08

PROPOSED ELEVATION



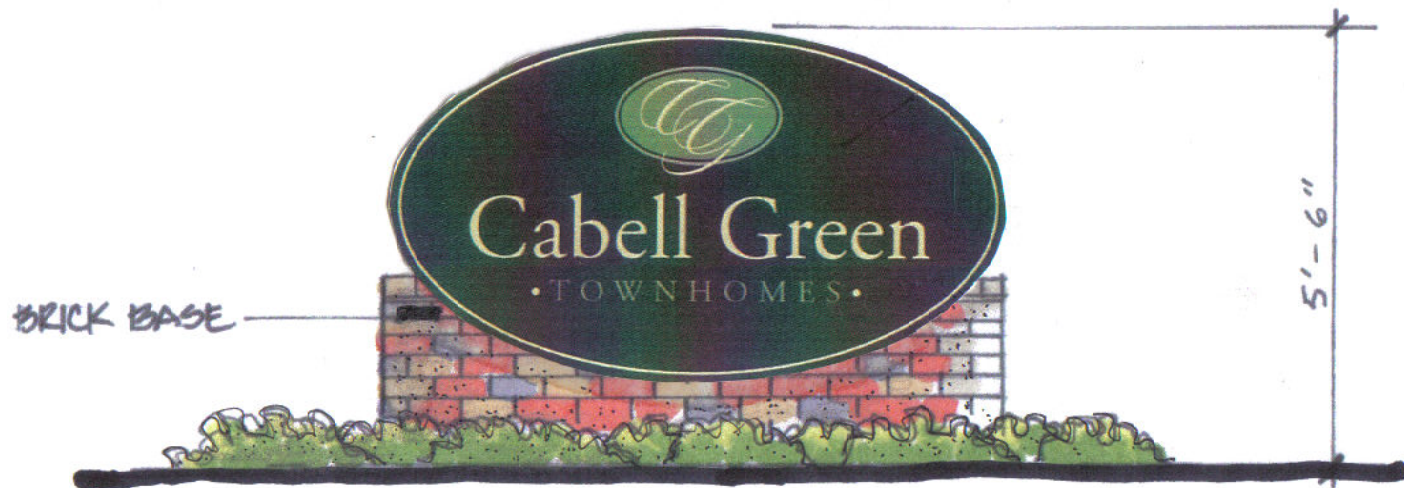
3-STORY

1879 SQUARE FEET

EXHIBIT B-3

C-31C-08

EXHIBIT C



ENTRANCE SIGNAGE

EXHIBIT C

C-31C-08