

O/SC to RTHC  
3.3 Ac.

**C-25C-10**  
**Zoning**  
 Residential Townhomes  
 Brookland District  
 400 Feet  
 PS October 2010 Ref: 763-774-5187



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

Virgil R. Hazelett, P.E.  
County Manager

March 15, 2011

Atack Properties, Inc.  
C/O Robert M. Atack  
4191 Innslake Drive, Suite 118  
Glen Allen, VA 23060

Re: Conditional Rezoning Case C-25C-10

Dear Mr. Atack:

The Board of Supervisors at its meeting on March 8, 2011, approved your request to conditionally rezone from O/SC Office Service District (Conditional) to RTHC Residential Townhouse District (Conditional), Parcel 763-774-5187 containing 3.3 acres, located along the north line of Hunton Park Boulevard approximately 200' west of its intersection with Hunton Ridge Lane, described as follows:

Commencing at a point at the intersection of the east line of Staples Mill Road (U.S. Route 33) and the north line of Hunton Park Boulevard; thence along the north line of Hunton Park Boulevard 3320' to a point being the place and Point of Beginning (P.O.B.); thence leaving the north line of Hunton Park Boulevard N 16°00'00" E, for a distance of 281.93' to a point; thence N 28°00'00" W, for a distance of 50.00' to a point; thence N 14°23'46" E, for a distance of 275.19' to a point; thence S 41°00'00" E, for a distance of 605.76' to a point on the north line of Hunton Park Boulevard; thence along the north line of Hunton Park Boulevard along a non-tangent curve to the left with a radius of 790.00' and an arc length of 11.90', subtended by a chord of S 73°14'53" W, for a distance of 11.90' to a point; thence S 72°49'00" W, for a distance of 155.14' to a point; thence along a curve to the right with a radius of 1960.00' and an arc length of 368.77', subtended by a chord of S 78°12'24" W, for a distance of 368.23' to the place and Point of Beginning (P.O.B.). Said parcel contains 3.3± acres (147,275± sq. ft.) and being Henrico County Parcel 763-774-5187.

The Board of Supervisors accepted the following proffered conditions, dated February 9, 2011, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Density.** There shall be no more than 13 units.
2. **Minimum Sizes.** The minimum finished floor area of each unit shall be 1550 square feet.

3. **Site Plan.** Development of the property shall be in substantial accordance with the "RTH Site Layout, Hunton Park, Henrico County, Virginia" prepared by Burgess & Niple dated September 9, 2010 attached hereto as Exhibit A (see case file) unless requested and approved by the Director of Planning at the time of Plan of Development Review.
4. **Architectural Treatment.** The townhomes constructed on the property shall be substantially in conformance with the elevations attached hereto as Exhibit B (see case file) entitled "The Odessa Townhomes" unless requested and approved by the Director of Planning at the time of Plan of Development Review.
5. **Building Materials.** All buildings shall have exposed exterior walls (above grade) of stone, brick, hardi-plank, vinyl siding or a combination of the foregoing 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 review. A minimum of twenty-five (25) percent in the aggregate, of the exterior portions of the front building wall surfaces of each building, excluding windows, doors, breezeways and architectural design features, shall be of brick or stone construction.
6. **Foundations.** All finished floor areas, except basements, shall be constructed above grade or give the appearance of being constructed above grade. The exterior portions of all residential foundations, including the exterior portion of foundations below the first floor level which is visible above grade, shall be constructed of brick or stone. There shall be a minimum vertical height of twelve (12) inches of brick or stone above grade utilized on slab-on-grade foundations to present the appearance of a crawl space. There shall be no cantilevered chimneys, closets or bay windows.
7. **Fireplace Chimneys.** All exterior portions of fireplace chimneys shall be enclosed by brick or stone. All fireplace chimneys and gas vents shall be built on brick or stone foundations. Gas or ornamental fireplaces may be wall-vented within chimneys; however, such vented enclosures shall not be cantilevered and must have a base to match the foundation.
8. **Sound Suppression.** Walls between units shall have a minimum sound transmission coefficient rating of 55.
9. **Garages.** Each townhouse unit shall include a one (1) car attached garage. Each garage shall have a minimum interior dimension of 10'-2" wide by 19'-11" deep.
10. **Driveways.** All driveways on each townhouse lot shall be constructed of concrete, aggregate materials, brick or stone pavers.

11. **Marketing.** The townhomes shall be marketed for sale as "Owner-occupied".
12. **Sidewalks.** Sidewalks shall be provided adjacent to interior roadways to provide access between townhome units and parking areas and shall be constructed to current County road standards and specifications for sidewalks.
13. **Buffer Area.** A landscaped or natural planted buffer of a minimum of twenty-five (25) feet in width shall be maintained along the boundary of Hunton Park Boulevard as generally shown on the attached Exhibit entitled "RTH Site Layout, Hunton Park, Henrico County, Virginia" (see case file) except for the extent necessary for drainage and utility easements which shall pass through the area in a generally perpendicular manner (unless currently existing). New plantings shall be similar to the landscaping located in the twenty-five (25) foot planting strip easement of the adjoining Townes at Hunton Park, Sections B and D (see case file). The sodded, seeded and landscaped areas shall be irrigated. Building setbacks shall be a minimum fifty (50) feet along Hunton Park Boulevard.
14. **Tree Save Area.** A tree save area approximately seventy-five (75) feet in length and being of variable width shall be preserved in its natural state and located as generally shown on the attached Exhibit entitled "RTH Site Layout, Hunton Park, Henrico County, Virginia" (see case file). Trees shall be preserved within the area except for drainage and utility easements which shall pass through the area in a generally perpendicular manner (unless currently existing). No buildings of any kind may be placed in the tree save area. Exceptions to disturbing the tree save area shall be determined by the Planning Commission at the time of Plan of Development or subdivision review.
15. **Streets.** Curb and gutter shall be used on all streets and shall be designed to meet current County standard for "roll top" curb and gutter and shall measure not less than three (3) feet from edge of pavement to back of curb. Roads shall be designed to have a minimum of thirty-six (36) feet from back of curb to back of curb (thirty (30) foot edge of pavement to edge of pavement with an additional three (3) feet from edge of pavement to back of curb). Prior to issuance of a permanent Certificate of Occupancy for any home, the developer shall provide the Planning Department certification from a licensed engineering firm that the roadways within the development were constructed according to the approved plan and in compliance with Henrico County road design standards and specifications, to include proper compaction of sub-base soils, utility trenches, base stone and asphalt, but excluding road widths, turning radii, sight distance and vertical curves, or a bond in an amount satisfactory to the Director of the Department of Public Works shall be provided to Henrico County for items not yet completed. The internal roads within the property shall be private and shall be maintained by the Homeowners Association.
16. **Street Lights.** Street lights shall be provided and shall not exceed sixteen (16) feet in height. The street lights shall be non-glare and residential in character.

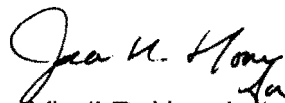
17. **Entrance Feature**. An irrigated landscaped entrance feature, substantially similar to the secondary entrances at The Townes at Hunton Park, shall be provided subject to approval by the Director of Planning.
18. **Restrictive Covenants**. Prior to or concurrent with the recording of the subdivision plat approved by the County, restrictive covenants describing development controls and maintenance of the property shall be recorded in the Clerk's Office of the Circuit Court of Henrico County.
19. **Association**. There shall be a Homeowners Association of the owners of the townhomes that shall be responsible for the enforcement of the restrictive covenants, including, but not limited to, the maintenance of common areas, tree save area and architectural control.
20. **Underground Utilities**. Except for junction boxes, meters, pedestals, transformers, transmission mains and existing overhead utility lines, and for technical and environmental reasons, all utility lines shall be underground.
21. **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 flood plain as determined by definitive engineering studies approved by the Department of Public Works, and/or such portion(s) of the Property which may be inundated by waters impounded to a maximum elevation determined in a controlled, regulated manner by a structure or structures 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, utility easements, signage, walkways and recreational facilities installed in a manner to minimize their impacts; and
  - 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 County Code (the "Zoning Ordinance").

The Owner shall, prior to Plan of Development or subdivision approval for areas that include such flood plain, apply to rezone such portions of the Property to a C-1 Conservation District.

22. **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.

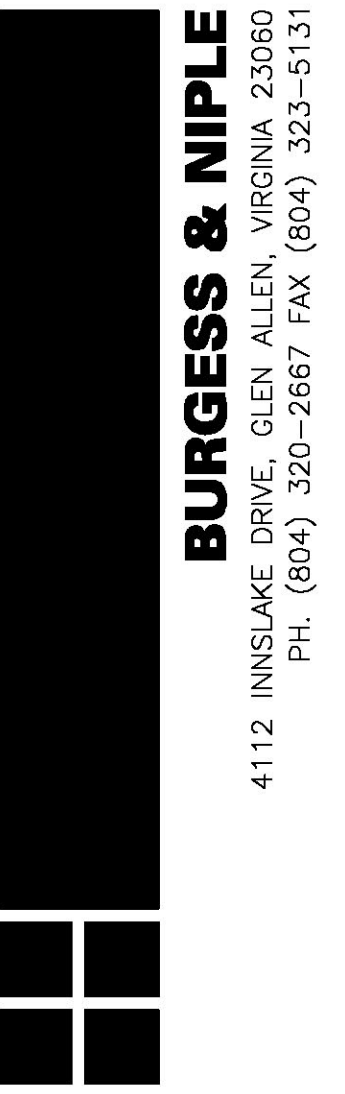
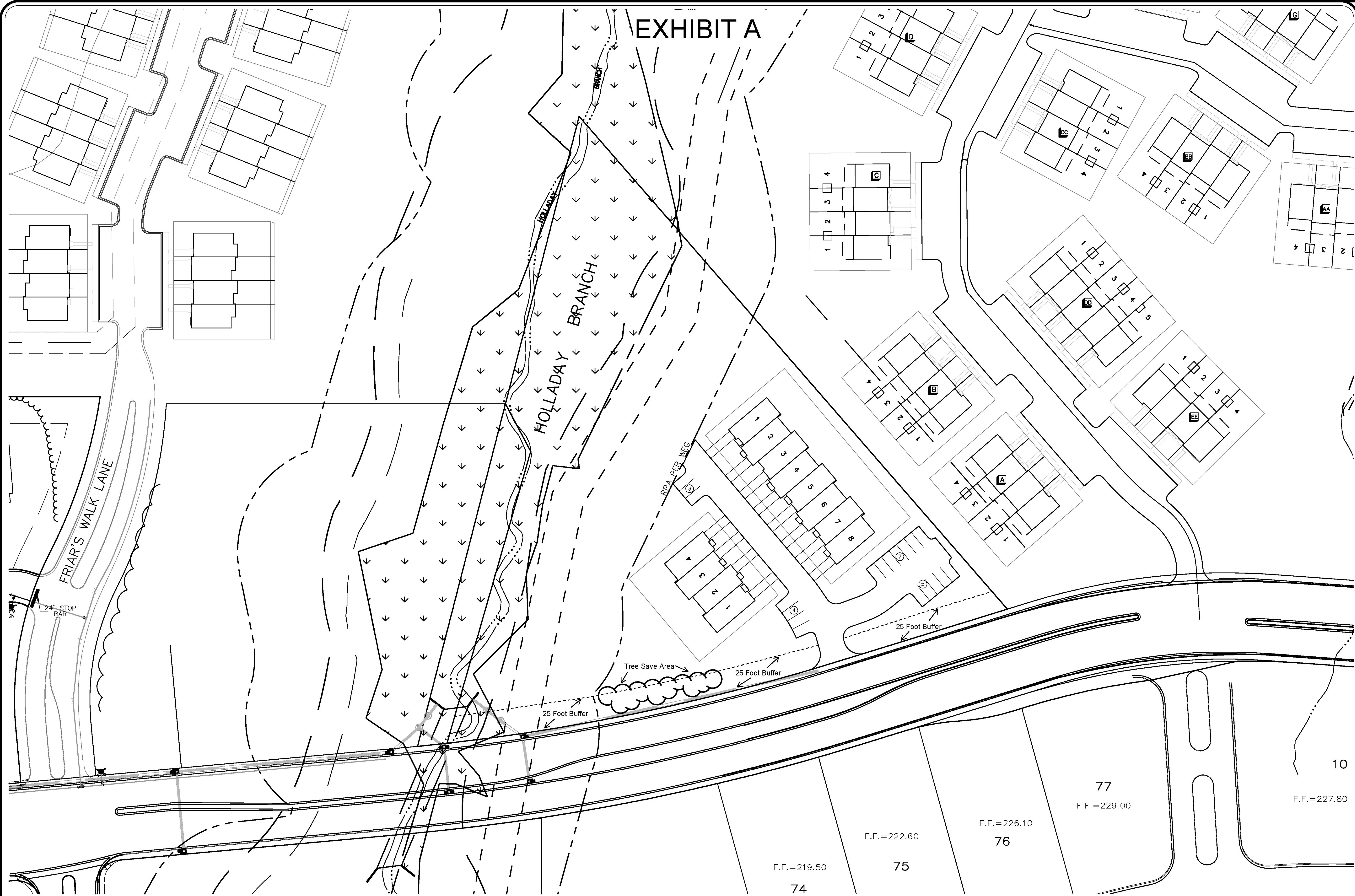
The Planning Department has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered conditions in the Conditional Zoning Index.

Sincerely,

  
Virgil R. Hazelett, P.E.  
County Manager

pc: Hunton Park Land Partners LC  
Director, Real Estate Assessment  
Conditional Zoning Index

# EXHIBIT A

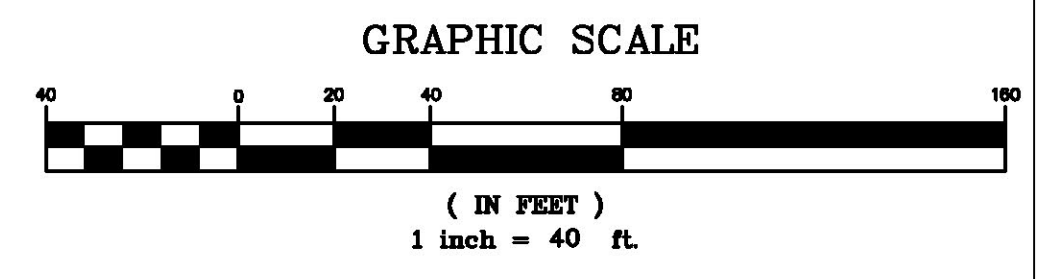


**BURGESS & NIPLE**  
 4112 INNSLAKE DRIVE, GLEN ALLEN, VIRGINIA 23060  
 PH. (804) 320-2687 FAX (804) 323-5131

NO.	REVISIONS	DATE

**RTH SITE LAYOUT**  
**HUNTON PARK**  
 HENRICO COUNTY, VIRGINIA

**EXHIBIT A**  
**C-25C-10**



74 F.F.=219.50  
 75 F.F.=222.60  
 76 F.F.=226.10  
 77 F.F.=229.00  
 10 F.F.=227.80

DATE: 09-09-10  
 SCALE: 1" = 40'  
 DESIGN: JRS DRAWN: JRS  
 CHECK: JRS CHECK: JRS  
 JOB NO.: HUNTON  
 P.R. NO.: HUNTON  
 SHEET 1 OF 1  
 FILE NO.: RTH-SITE-LAYOUT-2

Exhibit B



THE ODESSA TOWNHOMES



EXHIBIT B  
C-25C-10

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