

**C-28C-10**

**Zoning**

Zero Lot Line Single Family Residential

Brookland District

400

Feet

PS October 2010

Ref: 761-774-1070



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

Virgil R. Hazelett, P.E.  
County Manager

February 15, 2011

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

Re: Conditional Rezoning Case C-28C-10

Dear Mr. Atack:

The Board of Supervisors at its meeting on February 8, 2011, approved your request to conditionally rezone from R-3 One-Family Residence District, O/SC Office Service District (Conditional), and B-3 Business District to R-5AC General Residence District (Conditional), Parcels 761-774-1070, -2729, and 760-774-7961 containing 13.284 acres, located along the south line of Hunton Park Boulevard between Old Mountain Road and Hunton Park 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 south line of Hunton Park Boulevard being the place and Point of Beginning (P.O.B.); thence along the south line of Hunton Park Boulevard along a non-tangent curve to the right with a radius of 902.48' and an arc length of 121.35', subtended by a chord of N 55°31'01" E, for a distance of 121.26' to a point; thence along a curve to the right with a radius of 905.00' and an arc length of 871.53', subtended by a chord of N 89°20'42" E, for a distance of 838.24' to point; thence S 63°04'00" E, for a distance of 214.42' to a point; thence along a curve to the right with a radius of 247.50' and an arc length of 49.34', subtended by a chord of S 57°21'22" E, for a distance of 49.25' to point; thence along a curve to the left with a radius of 257.50' and an arc length of 51.33', subtended by a chord of S 57°21'22" E, for a distance of 51.24' to point; thence S 63°04'00" E, for a distance of 200.08' to a point; thence along a curve to the right with a radius of 25.00' and an arc length of 38.87', subtended by a chord of S 18°31'30" E, for a distance of 35.07' to a point on the west line of Hunton Park Lane; thence along the west line of Hunton Park Lane along a curve to the left with a radius of 600.00' and an arc length of 252.37', subtended by a chord of S 13°58'00" W, for a distance of 250.52' to point; thence S 1°55'00" W, for a distance of 100.00' to a point; thence along a curve to the right with a radius of 550.00' and an arc length of 378.38', subtended by a chord of S 21°37'31" W, for a distance of 370.96' to point; thence along a curve to the right with a radius of 25.00' and an arc length of 41.12', subtended by a chord of S 88°27'24" W, for a distance of 36.64' to point on the north line of Old Mountain Road (State Route 681); thence along the north line of Old Mountain Road (State Route 681) N 44°25'14" W, for a distance of 183.64' to a point; thence S 13°22'15" W, for a distance of 6.31' to a point; thence along a non-tangent curve to the left with a radius of 1001.71' and an arc length of 109.13', subtended by a chord of N

54°55'22" W, for a distance of 109.08' to a point; thence leaving the north line of Old Mountain Road (State Route 681) N 1°10'24" E for a distance of 438.71' to a point; thence N 48°34'08" W, for a distance of 7.74' to a point; thence N 64°17'26" W, for a distance of 326.40' to a point; thence S 24°44'57" W, for a distance of 202.44' to a point; thence N 66°29'21" W, for a distance of 198.38' to a point; thence S 25°44'28" W, for a distance of 7.95' to a point; thence N 28°18'57" W, for a distance of 110.13' to a point; thence N 61°41'03" E, for a distance of 32.97' to a point; thence N 13°17'15" E, for a distance of 137.25' to a point; thence N 63°43'38" W, for a distance of 50.61' to a point; thence S 37°06'57" W, for a distance of 104.21' to a point; thence N 28°18'57" W, for a distance of 39.25' to a point; thence S 35°21'28" W, for a distance of 283.58' to a point on the east line of Staples Mill Road (U.S. Route 33); thence along the east line of Staples Mill Road N 18°35'54" W, for a distance of 184.75' to a point; thence along a curve to the left with a radius of 125.00' and an arc length of 76.54', subtended by a chord of N 36°08'23" W, for a distance of 75.35' to the place and point of beginning (P.O.B.); said parcel contains 13.2± acres (579,157± sq. ft.) and being Henrico County Parcels 761-774-1070 (Parcel A); 761-774-2729 (Parcel B); 760-774-7961 (Parcel C).

The Board of Supervisors accepted the following proffered conditions, dated January 11, 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 49 units.
2. Minimum Sizes. The minimum finished floor area of any home, exclusive of garages, shall be seventeen-hundred (1700) square feet. The average finished floor area of the homes, exclusive of garages, shall not be less than two thousand (2000) square feet.
3. Architectural Treatment. The single-family detached homes constructed on the property shall utilize features including, but not limited to, porches with square or round columns, wide eaves with triangular brackets, exposed roof rafters, and mixtures of siding materials and vertical/horizontal siding directions consistent with Craftsman bungalow and cottage-style architecture with the addition of European influences unless requested and approved by the Director of Planning at the time of Plan of Development Review. Examples of these architectural features are more specifically shown on exhibits entitled, "CRAFTSMAN, BUNGALOW & EUROPEAN COTTAGE-STYLE ARCHITECTURAL ELEMENTS" attached hereto as Exhibits A & B (see case file).
4. Building Materials. Each house shall have exposed exterior walls (above grade) of stone, brick, hardi-plank, vinyl siding or a combination of the foregoing. Twenty-five (25) percent of all homes, in the aggregate, shall have a minimum of twenty-five (25) percent of the front exterior wall surfaces constructed of brick or stone, excluding windows, doors, breezeways and architectural design features.

5. **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.
6. **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.
7. **Stoops.** Steps to the main entrance of all homes, except for homes with country porches, shall be faced with brick or stone or a cementitious, mortared stone-appearing product. Front stoops, except for homes with country porches, shall be brick or stone or a cementitious, mortared stone-appearing product with finished concrete or exposed aggregate landing. Any country porches shall have brick piers.
8. **Garages.** Each home shall include a two (2) car attached garage which can accommodate cars parked side by side. Each garage shall have a minimum interior dimension of 19'-4" wide by 19'-4" deep.
9. **Entrance Feature.** An irrigated landscaped entrance feature similar to the Hunton Park Lane entrance to The Villas at Hunton Park shall be provided subject to approval by the Director of Planning.
10. **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 except to the extent necessary for drainage and utility easements which shall pass through the area in a generally perpendicular manner (unless currently existing). New landscaping shall be in substantial conformance, with the exception of the earthen berm, with the plan entitled "Landscape Buffer Details, The Villas at Hunton Park" attached hereto as Exhibit C (see case file) and the landscaping table attached hereto as Exhibit D (see case file) and the plant materials used shall be chosen to mitigate the view of the rear of the yards and homes backing up to Hunton Park Boulevard. The sodded, seeded and landscaped areas shall be irrigated. Best management practice facilities shall not be permitted in this buffer area. The twenty-five foot buffer shall continue as far as practicable along Hunton Boulevard into the area identified as Common Area on Exhibit E (see case file) located west of Lot 31 but may be shifted away from Hunton Park Boulevard if required by existing easements, wetlands or ponds. The twenty-five foot buffer shall be placed in a planting strip easement which

shall be dedicated to the Homeowners Association for perpetual maintenance prior to issuance of the first certificate of occupancy.

11. Fences. An ornamental fence similar to that shown on the plan entitled "Landscape Buffer Details, The Villas at Hunton Park" attached hereto, a minimum of six (6) feet in height featuring brick columns every fifty (50) feet shall be provided adjacent to Hunton Park Boulevard. The ornamental fence shall be located approximately twenty-five feet from the edge of Hunton Park Boulevard but inside the twenty-five (25) foot planting strip easement. Fences located on individual lots shall be restricted to rear yards, constructed of white vinyl or white composite-style material and shall not exceed forty-two (42) inches in height. Stockade fences shall not be permitted.
12. Hunton Park Lane Landscaping. The landscape buffer theme and ornamental fence featuring brick columns shown on Exhibits C & D (see case file) shall be installed along Hunton Park Lane from the intersection of Hunton Park Boulevard and shall extend one hundred (100) feet south of the main entrance to the community. The Hunton Park Lane landscaping shall be placed in a planting strip easement which shall be dedicated to the Homeowners Association for perpetual maintenance prior to issuance of the first certificate of occupancy.
13. Plantings. Supplemental plantings shall be installed on the rear lot lines of those lots identified on Exhibit E as 28, 29 & 30 (see case file). The plantings shall be installed as shown on Exhibit E (see case file) and shall consist of evergreen plant materials a minimum of four (4) to five (5) feet high at the time of planting and shall be planted no more than three (3) feet on center for the length of planting area.
14. 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. The restrictive covenants shall establish an architectural control process that shall assure that no building, fence, wall, walkway, driveway or other structure or landscaping shall be commenced, erected or maintained upon the lots, nor shall any exterior addition, change or alteration therein be made, including exterior painting, until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures, visibility to Hunton Park Boulevard and topography by the Board of Directors of the Association, or by an "Architectural Committee" composed of two (2) or more persons.
15. Association. There shall be a Homeowners Association of the owners of the homes that shall be responsible for the enforcement of the restrictive covenants,

including, but not limited to, the maintenance of common areas and tree save areas and architectural control.

16. **Paved Driveways.** The restrictive covenants shall include a requirement that all driveways on each residential lot shall be paved within six (6) months of receipt of a Certificate of Occupancy. The type of pavement shall include concrete, aggregate materials, brick or stone pavers.
17. **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 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.
18. **Sidewalks.** A sidewalk for pedestrian access shall be constructed along one side of each roadway inside the subdivision.
19. **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.
20. **Site Plan.** Development of the property shall be in substantial accordance with the "R-5A Site Layout, Hunton Park, Henrico County, Virginia" prepared by Burgess & Niple dated November 15, 2010 attached hereto as EXHIBIT E (see case file) unless requested and approved by the Director of Planning at the time of Plan of Development Review.
21. **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.
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.

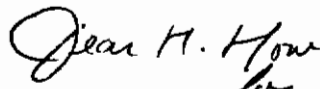
Atack Properties, Inc.

February 15, 2011

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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 cursive script, appearing to read "Virgil R. Hazelett".

Virgil R. Hazelett, P.E.  
County Manager

pc: Star City Land and Development Company, L.C.  
RMA/Hunton, LC  
WWJ, LC  
Director, Real Estate Assessment  
Conditional Zoning Index





CRAFTSMAN, BUNGALOW & EUROPEAN COTTAGE-STYLE ARCHITECTURAL ELEMENTS



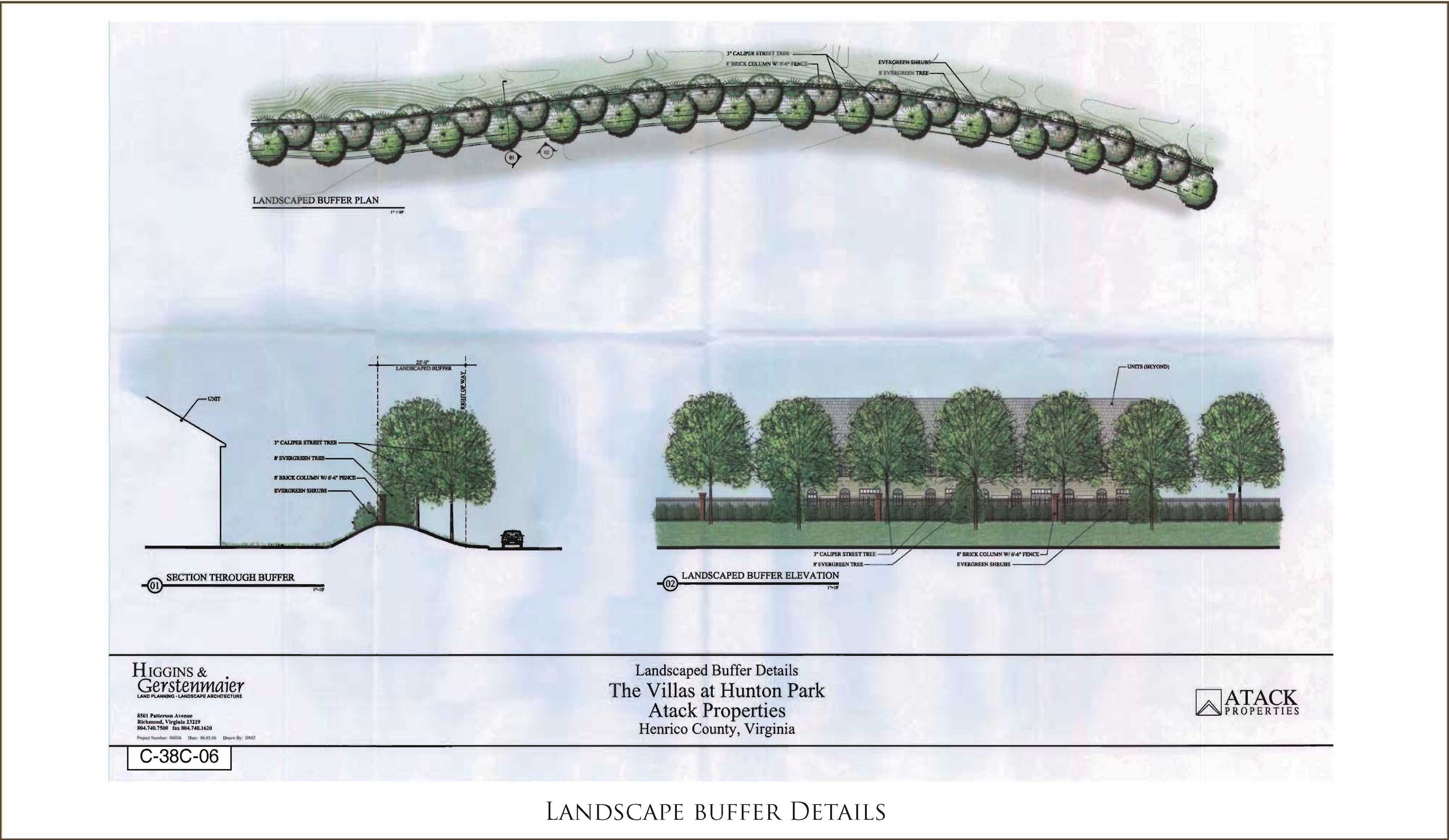




CRAFTSMAN, BUNGALOW & EUROPEAN COTTAGE-STYLE ARCHITECTURAL ELEMENTS







LANDSCAPE BUFFER DETAILS

\* Note:  
The same landscape buffer used at The Villas at Hunton Park (shown on the images) will be used on the next neighborhood of Hunton Park.

This includes the implementation of a similar plant pallet and the use of brick columns and fencing.



VIEW OF BUFFER FROM INSIDE NEIGHBORHOOD



VIEW OF BUFFER FROM FROM HUNTON PARKWAY



VIEW OF BUFFER FROM INSIDE BUFFER AREA



# EXHIBIT D

## Case C-28C-10

New Landscaping shall be in general conformance with the plan entitled "Landscape Buffer Details, The Villas at Hunton Park" prepared by Higgins & Gerstenmaier dated June 5, 2006 and the table below

Tree/Plant Type	Number Proposed - Per 100 L.F.**	Ultimate Height	Typical Caliper Size (inches) and/or Tree Height (feet) at Install	10 Year Cover (Sq. Ft.)	Hunton Park Blvd. Totals
Large Deciduous or Evergreen Trees	5	50'	3"	250'	50
Small Evergreen or Deciduous Trees	2	20'	2"-3"/7'-9'	50'-75'	20
Shrubs	20	10'	N/A	varies	200

\*\*Actual # of Trees/Shrubs per 100' shall be subject to drainage and utility easements and facilities & exact location of Brick Columns

### Included in the 25' Buffer, in addition to landscaping:

6' 6" Ornamental Black Metal Fencing with 8' Brick Columns every 50' (as proffered in C-67C-03)



EXHIBIT E -  
PARK

**BURGESS & NIPLÉ**  
4112 INNSLAKE DRIVE, GLEN ALLEN, VIRGINIA 23060  
PH. (804) 320-2667 FAX (804) 323-5131

[illegible]

**HUNTON PARK**  
HENRICO COUNTY, VIRGINIA

DATE: 11-15-10	
SCALE: 1" = 50'	
DESIGN: JRS	DRAWN: JRS
CHECK: JRS	CHECK: JRS
JOB NO.: HUNTON	
R. NO.: HUNTON	
SHEET 1 OF 1	
FILE NO.: R-5A-SITE-LAYOUT	

