



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

John A. Vithoulkas
County Manager

April 21, 2015

ME JRS, LLC
Attn: Mr. Nate Van Epp
2250 Old Brick Road, Suite 220
Glen Allen, VA 23060

Re: Rezoning Case REZ2015-00005

Dear Mr. Van Epp:

The Board of Supervisors at its meeting on April 14, 2015, granted your request to conditionally rezone from R-5AC General Residence District (Conditional) to RTHC Residential Townhouse District (Conditional) Parcels 739-755-9019 and 740-755-3511 containing 10.8 acres located in the southeast quadrant of John Rolfe Parkway and Church Road, described as follows:

Beginning at a point being 458+/- feet northeast of the intersection of John Rolfe Parkway and Church Road, lying on the southern right-of-way of Church Road and being the northwest most corner of parcel currently in the name of ME JR LLC; thence departing said southern right-of-way of the Church Road in a southeast direction along the property currently in the name of Cary B. Phillips and B.W.T. recorded in Deed Book 3511 at Page 245 and along the lots of Lake Loreine, Section D, Block C S 58°04'07" E 878.46 feet to a pinched pipe; thence southwest along the lots of Laura Lea Estates, Block A S 45°52'46" W 607.58 feet to a point, lying on the eastern right-of-way of said John Rolfe Parkway; thence continuing northerly along said east right-of-way of John Rolfe Parkway the following 5 courses; N 37°29'19" W 55.08 feet to a point; thence 190.29 feet along the arc of a curve deflecting to the left with a radius of 614.49 feet, a central angle of 17°44'34" and a chord bearing and distance of N 46°21'36" W, 189.53 feet to a point; thence 39.19 feet along the arc of a curve deflecting to the left with a radius of 1013.93 feet, a central angle of 02°12'53" and a chord bearing and distance of N 56°20'20" W, 39.19 feet to a point; thence 57°26'46" W 176.81 feet to a point; thence 310.28 feet along the arc of a curve deflecting to the right with a radius of 895.93 feet, a central angle of 19°50'34", a chord bearing and distance of N 47°31'29" W 308.73 feet to a point; thence 116.22 feet along the arc of a curve deflecting to the right with a radius of 895.93 feet, a central angle of 7°25'57", a chord bearing and distance of N 33°53'14" W 116.14 feet to a point, lying at the intersection of said Church Road and John Rolfe Parkway; thence continuing northeast along said south right-of-way of Church Road the following 5 courses; N 10°38'35" E 56.93 feet to a point; thence N 51°11'55" E 69.41 feet to a point; thence N 55°17'41" E 24.74 feet to a point; thence N 55°17'41" E 128.82 feet to a point; thence N 54°09'00" E 178.38 feet to a point, being the point of beginning, containing 471,769 square feet or 10.8303 acres of land more or less.

The Board of Supervisors accepted the following proffered conditions, dated March 11, 2015, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Landscape Areas Adjacent to Laura Lea Estates and Lake Loreine Subdivisions.** A landscaped area along the boundary of the Property adjacent to Lake Loreine and Laura Lea Estates subdivisions shall be provided, except to the extent necessary or allowed for utility easements (including drainage), berms, BMPs, fencing, grading, and other purposes requested and specifically permitted, or if required, at the time of Plan of Development or Landscape Plan approval. For every one hundred (100) linear feet landscaping shall be provided as follows: (i) nine (9) large deciduous or evergreen trees a minimum of six (6) to seven (7) feet in height at the time of planting, and (ii) two (2) large shade trees a minimum of sixteen (16) feet in height at the time of planting; however, if adjacent to a home with an exposed basement, fourteen (14) large deciduous or evergreen trees a minimum of six (6) to seven (7) feet in height at the time of planting, and three (3) large shade trees a minimum of sixteen (16) feet in height at the time of planting shall be provided, unless otherwise requested and specifically approved at the time of Plan of Development or Landscape Plan approval.
2. **Landscaped Areas Adjacent to John Rolfe Parkway and Church Roads.** A variable width landscaped area a minimum of twenty-five (25) feet in width adjacent to the ultimate rights-of-way lines of John Rolfe Parkway and Church Roads (as such rights-of-way lines shall be determined by the Director of Public Works at the time of Plan of Development) shall be provided, except to the extent necessary or allowed for utility easements (including drainage), site distance easements, berms, BMPs, fencing, grading, decorative masonry wall features, signage, turn lanes and access driveways and other purposes requested and specifically permitted, or if required, at the time of Plan of Development or Landscape Plan approval. New utility lines within the buffers/setback shall be generally perpendicular to the buffers/setback to the extent practical and permitted by the respective providers of such utilities. Such landscaping shall meet the TB 25 standards, unless otherwise requested and specifically approved at the time of Plan of Development or Landscape Plan approval.
3. **Building Setbacks.** A minimum building setback of thirty (30) feet shall be provided along the boundary of the Property adjacent to the Lake Loreine and Laura Lea Estates subdivisions, and minimum building setbacks of fifty (50) and forty (40) feet respectively, shall be provided along Church Road and John Rolfe Parkway.
4. **Underground Utilities.** Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
5. **Decorative Fence.** A decorative "wrought iron-style" fence shall be provided along the John Rolfe Parkway and Church Road frontages of the Property, which fence shall integrate, at a minimum, (i) end columns on the northwestern Property

boundary along Church Road and the southeastern Property boundary along Pump Road and (ii) low, decorative masonry walls at the immediate intersection of John Rolfe Parkway and Church Road and on both sides of the entrance from John Rolfe Parkway.

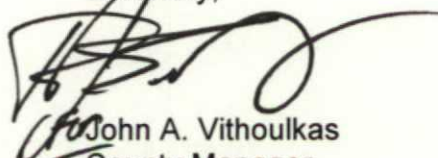
6. **Lighting.** Street light standards shall not exceed sixteen (16) feet in height. The street lights shall be non-glare, decorative in style, and residential in character. Direct embedded light poles and standards shall be prohibited.
7. **Site Plan.** Development of the Property shall be in general conformance with the plan entitled "Exhibit A Conceptual Master Plan John Rolfe Square Henrico County, Virginia", dated March 11, 2015 (see case file), prepared by Stewart/HG, ("the Conceptual Master Plan"), or as specifically approved at the time of Plan of Development.
8. **Community Gathering Space.** An open space park a minimum of one-half acre in size shall be provided generally in the location as shown on the Conceptual Master Plan (see case file). Amenities such as seating, a gazebo, pavilion, trellis or other community focal point shall be provided in the Community Gathering Space.
9. **Exterior Materials.** Any building shall have exposed exterior walls (above finished grade) predominantly of brick veneer, stone veneer, cementitious siding, engineered wood (e.g. LP Smartside) or a combination of the foregoing, or as specifically permitted at the time of Plan of Development. Except for trim material, windows, doors and architectural features, no home shall have exposed exterior walls of vinyl or aluminum siding.
10. **Architectural Style.** The homes constructed on the Property (a) shall be similar in style to the Craftsman/Arts & Crafts "Conceptual Home Elevations" attached hereto as Exhibit B (see case file), or as specifically approved at the time of Plan of Development, (b) shall use a variety of colors, (c) shall provide simulated carriage-style garage doors with Craftsman/Arts & Crafts-style door designs, window lites and/or simulated operable hardware, (d) shall provide Craftsman/Arts & Crafts-style window grill patterns, and (e) shall provide four or more of the following design elements per home: (i) board and batten accents, decorative shake, large overhangs with decorative beams or brackets under gables, front dormers with shed or gable-end roofs, exposed rafter ends, contrasting first and second floor colors and/or materials, four inch or greater oversized window trim and inside/outside corners, an enhanced Craftsman/Arts & Crafts-style front door, columns with Craftsman/Arts & Crafts proportions, and transoms or sidelites around doors.
11. **Porches and Stoops.** All homes shall feature either a covered porch or a covered stoop/recessed entry. All porches shall be a minimum of twelve (12) feet in length and at least six (6) feet in depth. All porch or stoops/recessed entries shall use Craftsman/Arts & Crafts-style columns with piers constructed of brick or stone veneer, shall be a minimum of twelve (12) inches wide by eight (8) inches deep, and shall be proportionate to the columns they support.

12. **Foundations.** The exterior portions of all residential foundations, including the portion below the first floor level which is visible above grade, shall be constructed of brick, stone or stone veneer for a minimum vertical height of twelve (12) inches.
13. **Density.** There shall be no more than forty (40) units developed on the Property.
14. **Detached Signage.** Any detached project identification signs shall be ground mounted, monolithic-type signs and if lit, shall be externally lit employing ground-mounted floodlight or spotlight-type fixtures directed toward such signs and away from public rights-of-way.
15. **Garages.** All homes shall have at least a two-car garage. Any front-loaded garage shall be recessed a minimum of five (5) feet from the farthest protruding element of the front of the home. No garage doors serving adjacent homes shall be identical.
16. **Site Coverage.** No more than sixty (60) percent of the Property shall be covered by buildings, driveways and parking areas.
17. **Lawn Areas Irrigated.** Front yards and the Community Gathering Space shown on the Conceptual Master Plan (see case file) shall be initially sodded and, along with the perimeter landscaping along John Rolfe Parkway and Church Road, shall be serviced by an irrigation system.
18. **Driveways.** No driveways serving individual units, other than the driveway for the main access drives shall have direct access to John Rolfe Parkway and Church Roads.
19. **Minimum Size.** Homes shall have a minimum of 2,500 square feet of finished floor area.
20. **Sidewalks.** Paved sidewalks shall be provided along both sides of the internal private roadways.
21. **Road Certification.** Prior to the issuance of the first permanent certificate of occupancy, the Owner shall provide the Planning Department with certification from a licensed engineering firm that the roadways within the development were constructed according to the approved Plan of Development and in compliance with Henrico County road design standards and specifications, to include proper compaction of the sub-base soils, utility trenches, base stone and asphalt surface, but excluding road widths and turning radii.
22. **BMP/Detention.** Any BMPs developed on the Property shall be underground. This shall not preclude any optional rain gardens, bio-retention facilities or Low Impact Design techniques.

23. **Restriction on Play Facilities.** The common area recreational amenities shall not include playground equipment, formal playing fields or other facilities primarily associated with children's play. This restriction shall not preclude open play fields.
24. **Hours of Construction.** The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall only be between 7:00 a.m. and 7:00 p.m., Monday through Friday and between 9:00 a.m. and 7:00 p.m. on Saturday with no exterior construction activities on Sunday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. Signs, in both English and Spanish, stating the above referenced provisions shall be posted and maintained at all entrances to the Property prior to any land disturbance activities thereon.
25. **Restrictive Covenants/Homeowners' Association.** Prior to or concurrent with the recordation of the first subdivision plat and/or Plan of Development approved by the County and before the conveyance of any portion of the Property covered by said subdivision plat or Plan of Development (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. Such covenants shall include a prohibition on detached storage sheds and swimming pools. In addition, there shall be a Homeowners' Association of the owners of homes that shall be responsible for the enforcement of the restrictive covenants, including, but not limited to, maintenance of the common areas including common area landscaping and fencing.
26. **Yard Trees.** At least two trees with a minimum 2.5 inch caliper for each home shall be installed within the planting strip in front of each home and two within the planting strip on the side of each home if on a corner.
27. **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.

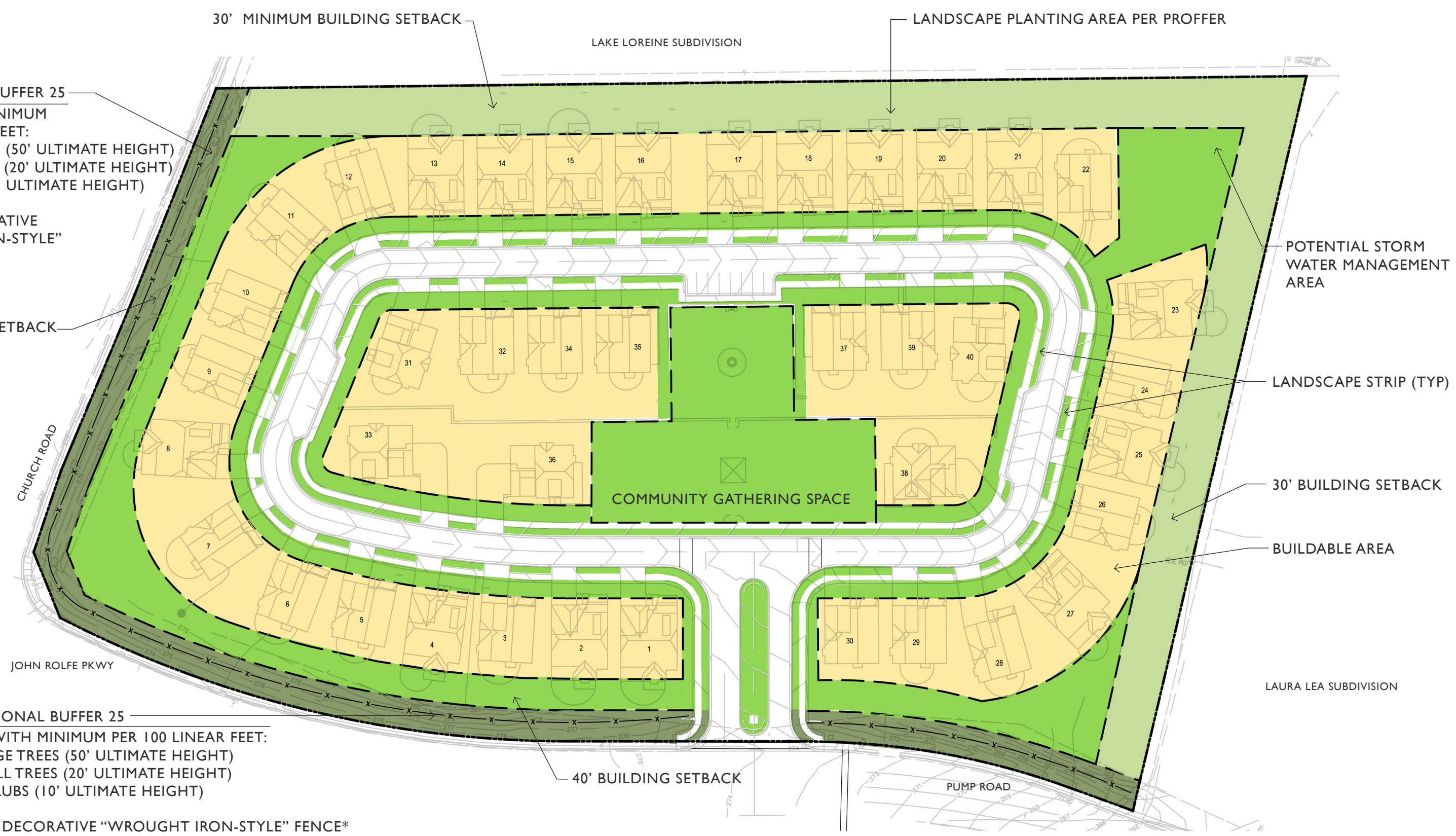
The Planning Department has been advised of the action of the Board of Supervisors and will revise its records.

Sincerely,



John A. Vithoukas
County Manager

pc: Mr. James W. Theobald, Esquire
Director, Real Estate Assessment
Tiffany S. Hinton, Ph.D., Dir. Research and Planning - Schools



TRANSITIONAL BUFFER 25
 -PLANT WITH MINIMUM
 PER 100 LINEAR FEET:
 4 LARGE TREES (50' ULTIMATE HEIGHT)
 2 SMALL TREES (20' ULTIMATE HEIGHT)
 16 SHRUBS (10' ULTIMATE HEIGHT)

-WITH 4' DECORATIVE
 "WROUGHT IRON-STYLE"
 FENCE*

50' BUILDING SETBACK

JOHN ROLFE PKWY

TRANSITIONAL BUFFER 25
 -PLANT WITH MINIMUM PER 100 LINEAR FEET:
 4 LARGE TREES (50' ULTIMATE HEIGHT)
 2 SMALL TREES (20' ULTIMATE HEIGHT)
 16 SHRUBS (10' ULTIMATE HEIGHT)

-WITH 4' DECORATIVE "WROUGHT IRON-STYLE" FENCE*

40' BUILDING SETBACK

LANDSCAPE PLANTING AREA PER PROFFER

POTENTIAL STORM
 WATER MANAGEMENT
 AREA

LANDSCAPE STRIP (TYP)

30' BUILDING SETBACK

BUILDABLE AREA

LAURA LEA SUBDIVISION

PUMP ROAD

* FENCE NOTE:
 SUCH FENCE SHALL INTERGRATE (i) END COLUMNS ON THE NORTHWESTERN PROPERTY
 BOUNDARY ALONG CHURCH ROAD AND THE SOUTHEASTERN PROPERTY BOUNDARY
 ALONG PUMP ROAD AND (ii) LOW, DECORATIVE MASONRY WALLS AT THE
 INTERSECTION OF JOHN ROLFE PARKWAY AND CHURCH ROAD ON BOTH SIDES OF THE
 ENTRANCE INTO THE SITE



CONCEPTUAL MASTER PLAN JOHN ROLFE SQUARE

HENRICO COUNTY, VIRGINIA

MARCH 11, 2015

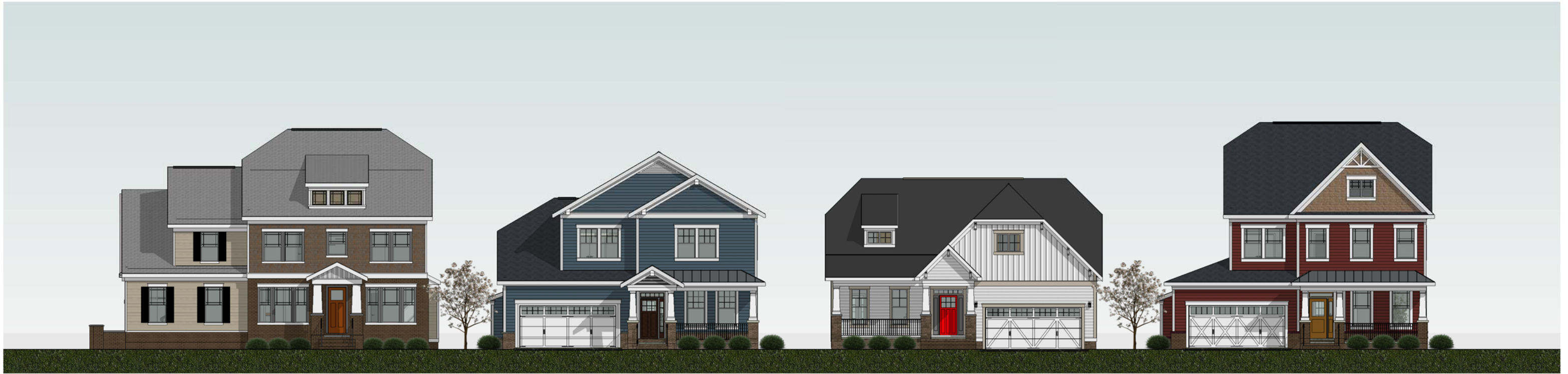


EXHIBIT B
CONCEPTUAL HOME ELEVATIONS
JOHN ROLFE SQUARE
HENRICO COUNTY, VIRGINIA
JANUARY 15, 2015

EXHIBIT B
REZ2015-00005

