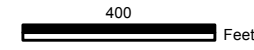


REZ2015-00026

Zoning

Townhomes

Three Chopt District



PS June 2015

Ref: 747-770-3395



COUNTY OF HENRICO

John A. Vithoulkas
County Manager

September 15, 2015

KCA/Bedford, LLC
c/o Attack Properties, Inc.
4191 Innslake Drive, Suite 118
Glen Allen, VA 23060

Re: Rezoning Case REZ2015-00026

Dear Sirs:

The Board of Supervisors at its meeting on September 8, 2015, granted your request to conditionally rezone from A-1 Agricultural District and RTHC Residential Townhouse District (Conditional) to RTHC Residential Townhouse District (Conditional) Parcels 747-770-3395 and 747-770-4264 containing 10.1 acres located along the west line of Nuckols Road at its intersection with New Wade Lane, described as follows:

Beginning at a point on the west line of Nuckols Road and 420'± south of the south line of Hickory Park Drive being labeled P.O.B on this plat; thence departing S 11°02'42" E 87.83' to a point; thence S 09°08'04" E 285.77' to a point; thence S 70°32'32" W 643.22' to a point; thence N 17°28'58" W 368.25' to a point; thence N 70°32'32" E 694.59' to a point and Place of the Beginning and containing 5.66 acres of land.

Beginning at a point on the west line of New Wade Lane and 43.43' west of the western line of Nuckols Road being labeled P.O.B. on this plat; thence departing S 16°29'43" E 301.62' to a point; thence S 40°41'50" W 34.61'; thence S 68°46'56" W 390.00'; thence S 77°52'21" W 50.64'; thence S 70°30'05" W 125.44'; thence N 17°27'44" W 324.46'; thence N 70°33'46" E 599.79' to a point and the Place of Beginning, and containing 4.44 acres of land.

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

1. **Conceptual Master Plan.** Development of the Property shall be in general conformance with the Conceptual Master Plan attached hereto as Exhibit A entitled "Bedford Falls at Hickory Grove Conceptual Plan, Section 1 & 2, Henrico County" prepared by Cite Design, (the "Concept Plan"), (see case file) which Concept Plan

is conceptual in nature and may vary in detail, unless otherwise requested and specifically approved at the time of Plan of Development and/or subdivision review.

2. **Entrance Feature.** An entrance feature shall be provided at the northernmost access to the Property in general conformance with the plan entitled "The Villas at Hickory Grove, Henrico County, Virginia, Exhibit B: Conceptual Entrance Design" prepared by Cite Design and attached hereto (see case file), unless otherwise requested and specifically approved at the time of Plan of Development and/or subdivision review.
3. **Protective Covenants.** Prior to or concurrent with the recordation of a 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.
4. **Sidewalks.** Sidewalks shall be provided along both sides of the internal private roadway as shown on the Concept Plan (see case file) and along Nuckols Road.
5. **Underground Utilities.** Except for junction boxes, meters, pedestals, transformers, transmission mains and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
6. **Best Management Practice.** Any Best Management Practice structures shall be located outside of any landscaped buffer within the Property, except as a landscaping amenity or water-related feature and if requested and specifically permitted by the Director of Planning or the Planning Commission at the time of subdivision and/or Plan of Development review. Any above-ground wet Best Management Practice structure shall include an aeration feature to move water within such structure.
7. **Minimum Sizes.** The minimum finished floor area of each home shall be 1,865 square feet.
8. **Architectural Treatment.** Townhomes constructed on the Property shall be generally in conformance with the elevations attached hereto as "Bedford Falls Architectural Elevations" - Page 1, "Bedford Falls Architectural Elevations" - Page 2 and "Bedford Falls Architectural Elevations" - Page 3 (see case file), unless requested and approved by the Director of Planning at the time of Plan of Development review.
9. **Building Materials.** All buildings shall have exposed exterior walls (above grade and exclusive of windows, gables, doors, trim, soffit and fascia) of stone, stone veneer, brick, hardi-plank, engineered wood (e.g. LP Smartside), or a combination

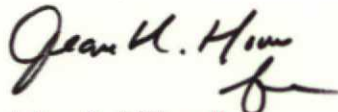
of the foregoing unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development review. A minimum of thirty-five (35) percent in the aggregate, of the exterior portions of the front building wall surfaces of each building, excluding windows, doors, breezeways, gables and architectural design features, shall be of brick, stone or stone veneer construction.

10. **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, stone or stone veneer. There shall be a minimum vertical height of twelve (12) inches of brick, stone or stone veneer above grade utilized on slab-on-grade foundations to present the appearance of a crawl space.
11. **Cantilevering.** There shall be no cantilevered treatment of any architectural features on the first floor. Items on the second floor such as balconies, decks, box or bay-type windows may be cantilevered, but shall include decorative corbels.
12. **Sound Suppression.** Interior walls between homes shall have a minimum sound transmission coefficient rating of 54. A cross-sectional detail, reviewed and approved by a certified architect or engineer as to the methodology to accomplish the sound coefficient rating, shall be included in building permit application.
13. **Garages.** Each home shall include a minimum of a one (1) car attached garage.
14. **Driveways.** All driveways directly serving homes shall be constructed of concrete, aggregate materials, asphalt, brick or stone pavers.
15. **Marketing.** All homes shall be marketed for sale as "Owner-occupied".
16. **Private Street.** 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 roadway within the development was 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, cross over and entrance spacing, 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 road within the Property shall be private and shall be maintained by the Homeowners Association.
17. **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. Direct embedded light poles and standards shall be prohibited.

18. **Density.** There shall be no more than seventy nine (79) residential units developed on the Property.
19. **Landscaped Median.** Landscaping and trees shall be provided within the grassy medians within the Property as generally shown on the Concept Plan. Actual plantings shall be depicted on a plan to be approved at the time of Plan of Development or Landscape Plan approval.
20. **Access.** There shall be no direct vehicular access to and from the Property to and from Nuckols Road, unless otherwise requested and specifically approved at the time of Plan of Development and/or subdivision review.
21. **Greenbelt.** A greenbelt, exclusive of adjacent lots, for landscaping and/or natural areas shall be provided a minimum of twenty-five (25) feet in width adjacent to the ultimate right-of-way line of Nuckols Road except to the extent necessary for utility easements, signage, fencing, and other purposes requested and specifically permitted, or if required, at the time of Plan of Development and/or subdivision review, or by any other governmental body. Any utility easements (other than existing utility easements) permitted within the aforesaid greenbelt area shall be extended generally perpendicular to the greenbelt area unless otherwise requested and specifically permitted or if required by the County at the time of landscape plan review.
22. **Units in a Row.** There shall be no more than six (6) residential units developed in a row on the Property.
23. **Amenity.** A park area with benches shall be provided within the passive amenity area generally as shown on the Concept Plan (see case file).
24. **Front Yards.** Front yards shall initially be sodded and irrigated, exclusive of mulched flowerbeds and landscaping.
25. **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.
26. **No Access to New Wade Lane.** There shall be no direct vehicular access to and from the Property to and from New Wade Lane, unless otherwise requested and specifically approved at the time of Plan of Development and/or subdivision review.

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

Sincerely,

A handwritten signature in dark ink, appearing to read "John A. Vithoulikas", with a stylized flourish at the end.

John A. Vithoulikas
County Manager

pc: Robert L. Lloyd Living Trust U/A January 21, 1999
Geraldine H. Lloyd Living Trust U/A January 21, 1999
James W. Theobald, Esquire
Director, Real Estate Assessment
Tiffany S. Hinton, Ph.D., Dir. Research and Planning - Schools



BEDFORD FALLS AT HICKORY GROVE

CONCEPTUAL PLAN, Section 1 & 2: Henrico County, Virginia





BEDFORD FALLS AT HICKORY GROVE
CONCEPTUAL PLAN, Section 2: Henrico County, Virginia

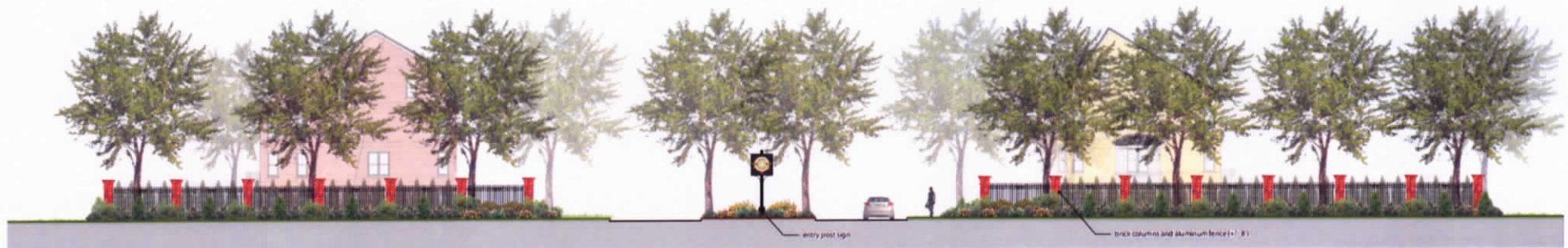




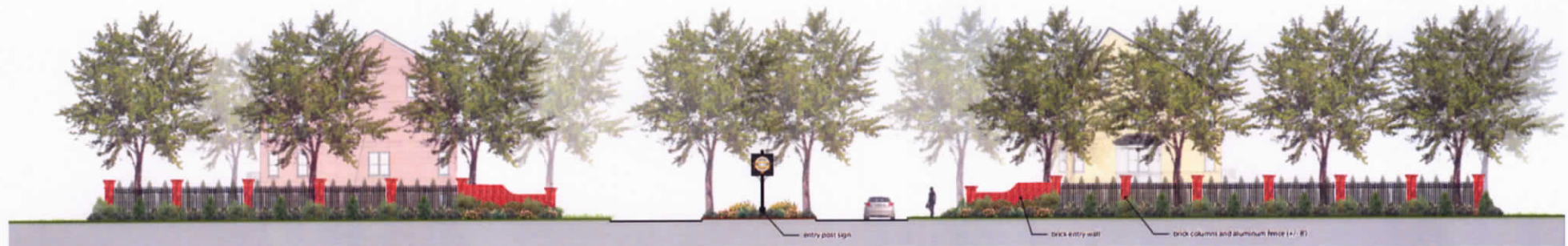
THE VILLAS AT HICKORY GROVE
Henrico County, Virginia
Exhibit B: Conceptual Entrance Design



entry post sign detail



conceptual section of entrance (option 1)



conceptual section of entrance (option 2)



FRONT ELEVATION

1/4" = 1'-0"



REZ2015-00026



REZ2015-00026