





COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

John A. Vithoulkas  
County Manager

September 19, 2017

Wilton Acquisition, LLC  
9568 Kings Charter Drive, Suite 100  
Ashland, VA 23060

Re: Rezoning Case REZ2017-00019

Dear Mr. Wilton:

The Board of Supervisors at its meeting on September 12, 2017, approved your request to conditionally rezone from RTHC Residential Townhouse District (Conditional) to R-6C General Residence District (Conditional) Parcel 767-751-2632 containing 15.17 acres located on the south line of Wistar Road at its intersection with Shrader Road, described as follows:

Beginning at an old rod on the southern line of Wistar Road, said rod being 1,387.6'± from the northern line of W. Broad Street and the point of beginning; thence, (1) in a northwardly direction along the southern line of Wistar Road, N 34°07'03" W - 7' to a point; thence, (2) in an eastwardly direction along said southern line of Wistar Road, N 56°21'34" E - 15.58' to a point, the point of curve; thence, (3) continuing in an eastwardly direction along said southern line of Wistar Road in a curve to the right having a radius of 1,407.40', a length of 695.68', and a chord bearing and distance of N 70°46'13" E 688.62' to a stone found; thence, (4) continuing in an eastwardly direction along said southern line of Wistar Road, N 84°54'13" E - 388.91' to an old rod; thence, (5) in a southwardly direction S 10°26'14" W - 388.12' to an old axle; thence, (6) continuing in a southwardly direction S 10°26'41" W - 681.81' to an old iron; thence, (7) in a westwardly direction, N 63°52'44" W - 413.07' to an old rod; thence, (8) in an eastwardly direction. N 56°28'10" E - 44.59' to an old rod; thence, (9) in a westwardly direction N 64°06'10" W - 37.53' to an old rod, the point of curve; thence, (10) continuing in a westwardly direction along a curve to the right having a radius of 676.20', a length of 354.97' and a chord bearing and distance of N 49°11'15" W - 350.91' to an old rod; thence, (11) in a northwardly direction N 34°07'03" W - 391.60' to an old rod, the point of beginning, containing 15.170 acres.

The Board of Supervisors accepted the following proffered conditions, dated August 22, 2017, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):



1. **Maximum Number and Size of Units.** The number of dwellings to be constructed onsite shall not exceed one hundred sixty (160) units. There will be 24 townhouses and 136 condominiums. The minimum square footage of finished floor area shall be 1,400 sq. ft. for either the two or four story units.
2. **Conceptual Plan.** Development of the Property shall be in substantial conformance with the attached conceptual site plan, Exhibit 'A' (see case file), unless otherwise approved by the Planning Commission at the time of Plan of Development approval. There will be no more than eight (8) units in a row in the entire development.
3. **Exterior Materials.** All buildings shall have exposed exterior walls (above grade and exclusive of trim) of stone, stone veneer, brick, hardi-plank, or a combination of the foregoing unless different architectural treatment and/or materials are specially approved with respect to the exposed portion of any such wall, at the time of Plan of Development review. A minimum of twenty-five percent (25%) surfaces of each building, excluding windows, doors, breezeways, gables and architectural design features, shall be of brick, stone or stone veneer construction. The ends of units of any townhouse or condominium building that are parallel and adjacent to the entrance road shall contain a minimum of two (2) windows.

The applicant shall maintain a record of percentages of the materials for the front of the units where required and shall provide such lists at the time of each building permit.

4. **Exterior Elevations.** The dwelling units on the Property shall have an exterior architectural style and use design elements similar to the concept drawings attached as Exhibit 'B' (see case file), which such renderings are conceptual in nature and are provided only as an illustration of the quality of the design and architectural style of such buildings. To minimize visual repetition of buildings, no two adjacent buildings shall have the same identical individual elevation sequence pattern across the front of the building.
5. **Buffers Fences and Walls.** There shall be ten (10) foot buffers along the eastern and southwestern property lines. There shall be a twenty-five (25) foot buffer along Wistar Road with decorative metal fence to have brick or stone columns fifty (50) feet on center and a wrought iron appearance. All buffers and fences are required unless approved during POD review.
6. **Roads.** All roads to be constructed in the development shall be privately maintained but shall be constructed in accordance with the County of Henrico's Public Road Standards and specifications with respect to pavement design and road width. All roads to be at least 24' in width. Prior to the issuance of the 21' Certificates of Occupancy, the applicant's engineer shall certify that the private roads serving the development have been constructed in compliance with the

applicable Henrico County Road Standards as to width. This can be done in phases.

7. **Underground Utilities.** Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
8. **Mechanical Equipment.** Mechanical equipment shall be screened from public view at ground level at the Property lines in a manner approved at the time of POD review.
9. **Lighting.** All lighting for the townhouses and additional parking areas will be by residential light posts. Parking lot lighting standards shall not exceed 15' in height and shall be positioned in such a manner as to minimize the impact of such lighting offsite.
10. **Signage.** Any detached signs on the Property shall be ground mounted, monolithic-type signs. The entrance sign and landscaping shall be constructed substantially similar to Exhibit 'D' (see case file) and shall include brick, brick veneer, stone, synthetic stone or similar masonry material with wrought iron accents. Such signs shall not exceed six (6) feet in height as measured from grade of the base of the sign and shall be externally lit employing ground-mounted floodlight or spotlight-type fixtures directed toward such signs and away from public rights-of-way.
11. **Sound Suppression.** Walls between units shall have a minimum sound transmission coefficient rating of 54.
12. **Restrictive Covenants/Homeowners Association.** Prior to or concurrent with the conveyance of any part of the Property covered on the POD 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. In addition, there shall be a Homeowners Association of the owners of the units on the property that shall be responsible for the enforcement of the restrictive covenants, including maintenance of the lots, common areas, roads and unit exteriors. Parking of recreational vehicles, boats and campers shall be prohibited in the development.
13. **Trash Pickup and Street Cleaning.** There shall be no trash pickup or street cleaning between the hours of 9:00 p.m. and 7:00 a.m. any day of the week. There shall be no street cleaning or trash pick-up on Sundays. There shall be no central trash receptacles.
14. **Mailboxes.** All mailboxes shall be of a uniform design.

15. **Model Home.** No more than two (2) dwelling units on the Property may be used for a model home. The garage for any such dwelling unit may be used for the office for the model home, provided that such office shall be converted to a garage when the dwelling unit is no longer used as a model home.
16. **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.
17. **Construction Hours.** The hours of exterior construction activities, including operation of bulldozers and other earthmoving equipment shall be between 7:00 a.m. and 7:00 p.m. Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours and utility connections. Hours shall be posted in both English and Spanish during construction of the community. Sunday hours shall be between 9:00 a.m. and 5:00 p.m.
18. **Conservation Areas.** Notwithstanding the uses permitted and regulated by the zoning of the property, such portions 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 such portions 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. Stormwater management and retention areas;
  - b. Ponds, lakes and similar areas intended as aesthetic or recreational amenities 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 be uses identified in (a), (b), and (c) above as may be deemed compatible and of the same general character by the Director of Planning pursuant to Chapters 19 and 24 of the County Code.
19. **BMP's.** Should any above ground BMP be required the BMP shall be landscaped per the Planning Commission and maintained by the homeowners' association of the R-6 zoned property. Any wet BMP required shall be aerated.
20. **Chimneys.** Any dwellings with a fireplace other than direct vent gas fireplaces or appliances shall have masonry chimneys faced with brick or stone similar to the foundation.
21. **Irrigation.** Front and side yards shall be sodded and irrigated.

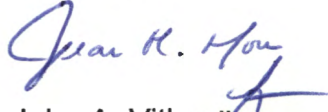
22. **Garages.** Each residential unit on the Property shall be constructed with at least a one (1) car garage which can accommodate a car parked inside. Attached garages shall be integrated into the overall design and massing of the house. Windows shall be offered as an option for garage doors. All front load garage doors shall have, at a minimum, one architectural detail, including but not limited to windows, carriage door handles, exposed hinges or accent columns.
23. **Driveways.** All driveways shall be constructed of either cobblestone, brick, asphalt precast pavers, concrete or other similar materials approved by the Director of Planning. There shall be no driveways that directly access Wistar Road.
24. **Interior Sidewalks.** Sidewalks a minimum of four (4) feet in width shall be provided in front of all buildings.
25. **Trees and Landscaping.** There shall be at least one (1) tree with a minimum caliper of two and a half (2) inches at the time of planting, retained or planted on each side of each building. Landscape plans shall be subject to Planning Commission review. Once approved, minor alterations to the plan may be approved by the Director of Planning.
26. **Foundation Planting.** Each townhome shall have a minimum of four (4) shrubs planted along the front foundation.
27. **Perimeter Sign.** No trespassing signs will be installed around the perimeter of the wetlands.
28. **Graveyard.** Prior to POD approval the owner or developer shall have a visual examination survey performed by a registered professional archeologist to determine whether any graves exist on the property. If any graves are discovered, either prior to or during construction, the owner or developer shall either remove and reinter the remains or shall protect the remains and provide an ingress/egress easement, all as required by law.
29. **Sidewalk.** A standard 4' wide sidewalk with a 2' wide utility strip, shall be installed along the entire frontage of Wistar Road.



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

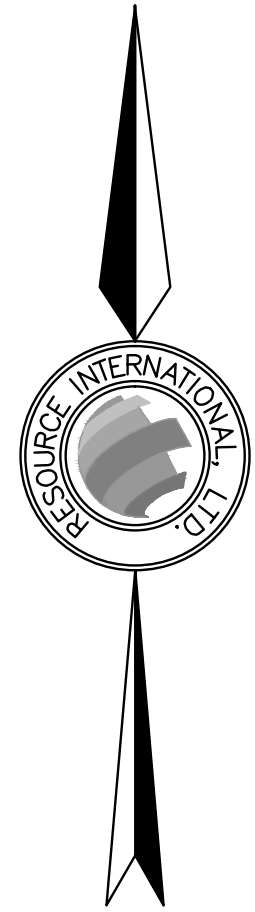
Sincerely,



John A. Vithoulkas  
County Manager

pc: Commonwealth Opportunity Fund West, LLC  
Director, Real Estate Assessment  
Tiffany S. Hinton, Ph.D., Dir. Research and Planning - Schools



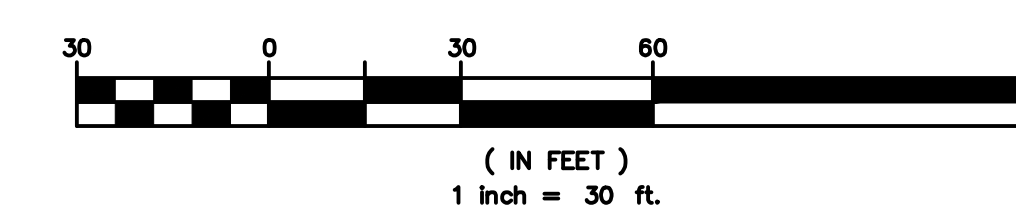


WISTAR ROAD

24 TOWNHOMES (28' WIDE)  
136 CONDOMINIUMS

EXHIBIT A

REZ2017-00019



PRELIMINARY LAYOUT - OPTION 1  
SECTIONS 3 & 4  
TOWNES OF WISTAR WOODS  
HENRICO COUNTY, VIRGINIA

AUGUST 2, 2017

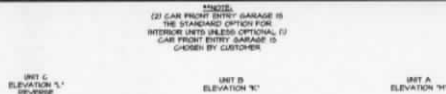
NOTE: ALL LOCATIONS ARE APPROXIMATE.



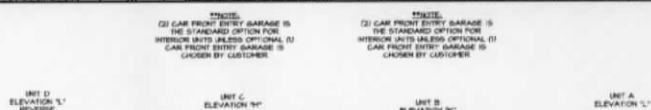
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H:\2023\08 WISTAR WOODS 3&4\PRELIMINARY\2023.08 PRELIM-rev.dwg Plotted: Aug 10, 2017 - 10:12am

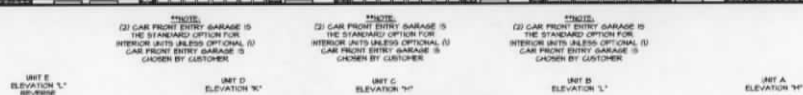




**3-UNIT BUILDING**



**4-UNIT BUILDING**

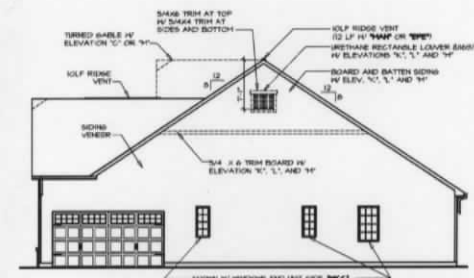


3  
A-1

# 5-UNIT BUILDING

SCALE: 1/8" = 1'-0"

CLV/25



**RIGHT/LEFT SIDE ELEVATIONS**

EXHIBIT B  
TOWNHOMES

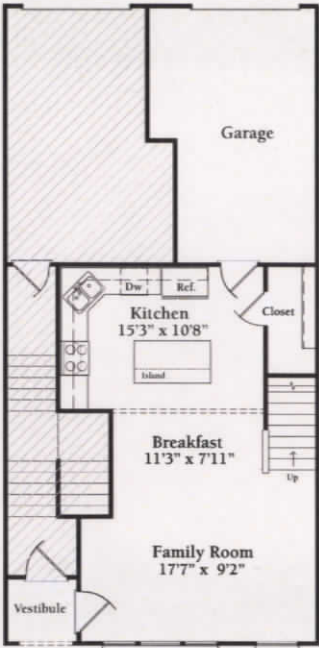
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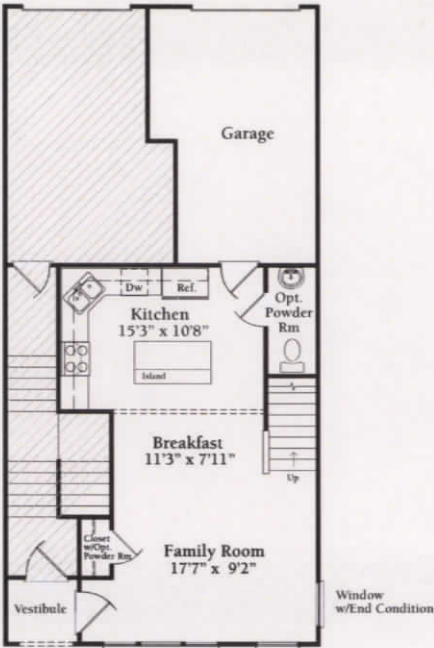
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MAIN LEVEL

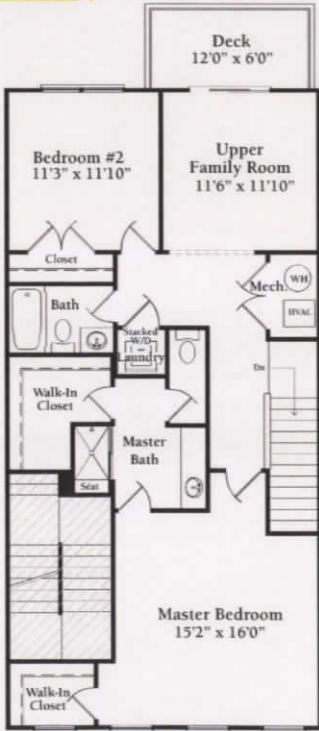


Standard Main Level Floor Plan

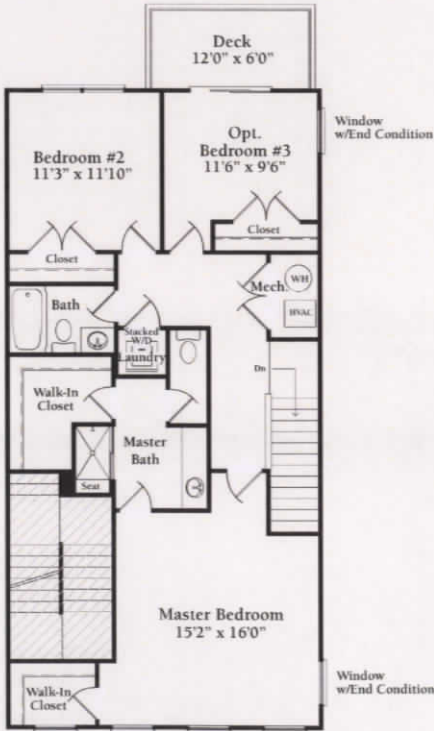


Optional Main Level Floor Plan  
w/Opt. Powder Room,  
Windows w/End Condition

UPPER LEVEL

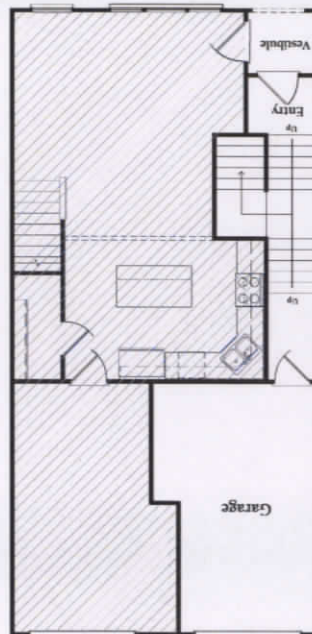


Standard Upper Level Floor Plan



Optional Upper Level Floor Plan  
w/Opt. Bedroom #3,  
Windows w/End Condition

Standard Garage Level Floor Plan



LOWER LEVEL



THE BRIGHTON



STANLEY MARTIN HOMES

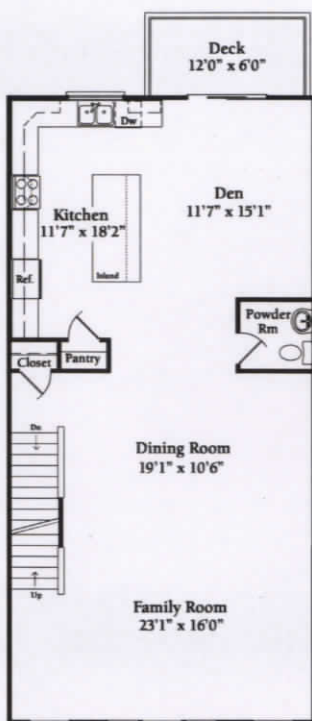
Your Life is Our Blueprint

EXHIBIT B  
CONDOMINIUMS

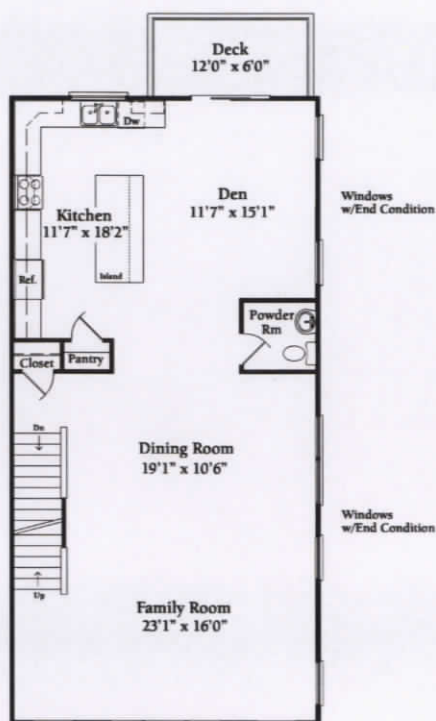
REZ2017-00019



## MAIN LEVEL

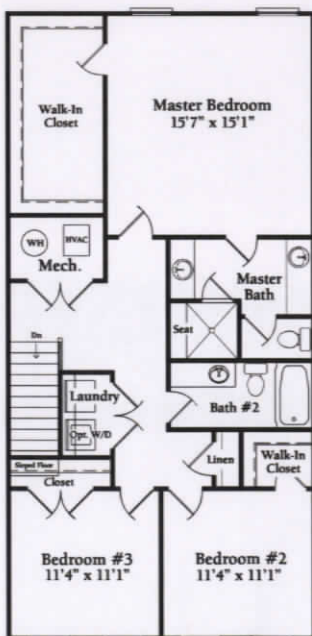


Standard Main Level Floor Plan

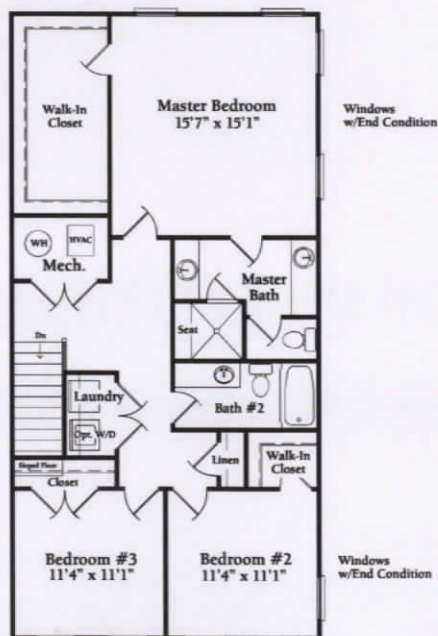


Optional Main Level Floor Plan  
w/Windows w/End Condition

## UPPER LEVEL

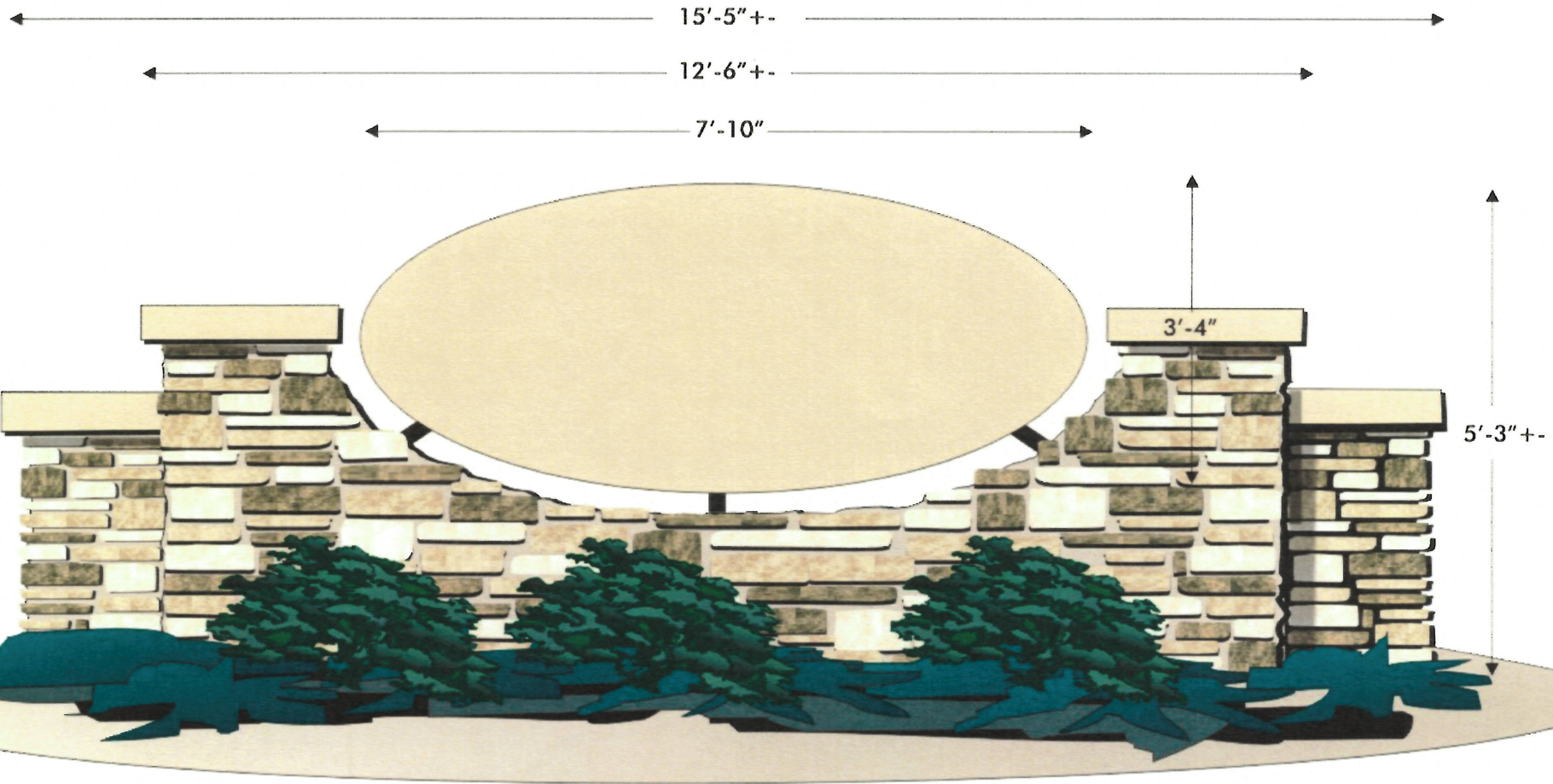


Standard Upper Level Floor Plan



Optional Upper Level Floor Plan  
w/Windows w/End Condition

# EXHIBIT D



ONE 3'-4" X 7'-10" SINGLE FACED HDU MONUMENT SIGN W/ PRISMATIC 3D CARVED HDU FACES.



11930-C OLD STAGE RD.  
 CHESTER, VA 23831  
 804-908-3008 FAX. 804-717-9948  
 SKETCH PROPERTY OF WOODCRAFT SIGN SHOPPE, LLC.

REZ2017-00019

DATE:  
 FILE:  
 SCALE

05/15/2016  
 WISTARBLANK  
 1/2" = 1'-0"