

**REZ2018-00012**

**Zoning**

**Condominiums**

**Tuckahoe District**



COUNTY OF HENRICO



John A. Vithoulkas  
County Manager

April 17, 2018

Stanley Martin  
c/o Mr. Jeremy Swink, Vice President  
200 Garrett Street, Suite B  
Charlottesville, VA 22902

Re: Rezoning Case REZ2018-00012

Dear Mr. Swink:

The Board of Supervisors at its meeting on April 10, 2018, approved your request to conditionally rezone from R-3 One-Family Residence District and M-1 Light Industrial District to R-6C General Residence District (Conditional) Parcel 765-748-4555 and part of Parcel 765-749-6000 containing 13.49 acres located at the northwest intersection of W. Broad Street (U.S. Route 250) and Willard Road, described as follows:

Beginning at a point on the north line of Willard Road and 349'± west of the western line of Broad Street being labeled POB on this plat; thence S 54°34'40" W 162.45'; thence along a curve to the right with a radius of 322.02' and a length of 177.04'; thence S 86°03'46" W 300.15'; thence along a curve to the right with a radius of 277.91' and a length of 194.98'; thence N 53°44'13" W 210.19'; thence N 36°15'47" E 256.31'; thence N 23°16'58" W 333.64'; thence N 76°33'37" E 641.09'; thence S 23°15'48" E 100.00'; thence N 76°33'12" E 125.83'; thence S 13°04'34" E 298.39'; thence along a curve to the right with a radius of 499.00' and a length of 121.60'; thence S 00°53'12" W 26.91'; thence along a curve to the left with a radius of 216.00' and a length of 130.31'; thence S 33°40'45" E 50.55' to the point and place of beginning and containing 13.49 acres of land.

The Board of Supervisors accepted the following proffered conditions, dated March 27, 2018, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Concept Plan.** The Property shall be developed in general conformance with Exhibit A attached (see case file) entitled "Broad Street Residential Conceptual Plan, Tuckahoe District, Henrico County, Virginia", dated March 23, 2018, and prepared by The Bay Companies (the "Concept Plan"). The exact locations, footprints, configurations, size, and details of the lots, drives, roads, buildings and other improvements shown on the Concept Plan are illustrative and are subject to change and may be updated from time to time as required for final engineering



design, compliance with governmental regulations or as otherwise approved at the time of Plan of Development review of the Property.

2. **Density.** No more than 200 dwelling units will be developed on the Property.
3. **Minimum Finished Floor Area.** The minimum finished floor area for any dwelling unit shall be 1,350 square feet.
4. **Sound Suppression Measures.** Dwelling units shall be constructed with a minimum certified sound transmission class (STC) of fifty-four (54) between units. A cross section detail, reviewed and approved by a certified architect or engineer as to the methodology accomplishing the STC, shall be included in the building permit application.
5. **Architecture.** 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. The side of each end unit shall include at least two (2) windows and the rear of each unit shall include at least two (2) windows. Buildings constructed on the Property shall generally be in conformance with Exhibit B (see case file) dated December 20, 2017, and attached hereto and by this reference made a part hereof unless otherwise approved by the Planning Commission at the time of Plan of Development review.
6. **Building Materials.** All buildings shall have exposed exterior walls (above grade and exclusive of trim) of stone, stone veneer, brick, hardi-plank, vinyl 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 (30) percent in the aggregate for each unit and an average of thirty-five (35) percent in the aggregate for all units, 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.
7. **Chimneys.** The exposed portions of all fireplace chimneys shall be of brick, stone, cultured stone, or siding similar to the exterior treatment of the building. The exposed bases of all chimneys shall be of the same material as the dwelling foundation. This proffer shall not apply to direct-vent gas fireplaces or appliances.
8. **Foundations.** The exposed exterior portions of all foundations below the first floor level shall be finished with brick, stone or cultured stone. On the front side and rear elevations of each building, there shall be a minimum of twelve (12) inches of brick, stone or cultured stone visible above grade. For reasons associated with required site grading, the requirements of this proffer may be modified or waived by the Director of Planning for individual side or rear façades.

9. **Foundation Planting.** Each ground floor unit shall have a minimum of four (4) shrubs planted in the front planting bed.
10. **Exterior Lighting.** Each home shall have exterior wall lights at the front door. Any pole mounted lights provided in the front yard of any lot shall be wired separately to allow such lights to stay on at night, shall not exceed 6 feet in height and shall be of a decorative, residential style. Street lighting parking lot lighting, and common area lighting shall be of a decorative, residential style and not to exceed 15 feet in height. Any lighting on the rear of a home shall be produced from concealed sources of light (such as shoebox type fixtures), and shall be directed to minimize glare on public roads and adjacent properties.
11. **Construction.** The hours of exterior construction activities, including operation of bulldozers and other earthmoving equipment shall be between 7:00 am. and 7:00 p.m. Monday through Friday and 7:30 am. and 5:00 pm. on Saturdays, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours and 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.
12. **Roads.** Prior to the issuance of any Certificate of Occupancy, the applicant shall provide the Planning Department with certification from a licensed engineer that the built roadways within the project were constructed according to the approved subdivision plan, and in compliance with Henrico County road design standards and specifications (except as to pavement width, turning radii, cul-de-sac dimensions, curb type, and underdrains), to include proper compaction of the sub-base soils, utility trenches, base stone, and asphalt surface. The internal roadways shall be private and shall be maintained by the Association.
13. **Garages.** Each dwelling Unit shall have a minimum of a one (1) car attached garage.
14. **Driveways.** Driveways shall be constructed of either cobblestone, brick, asphalt, pre-cast pavers, concrete or other similar materials approved by the Director of Planning.
15. **Sidewalks.** A continuous sidewalk a minimum of four (4) feet in width shall be provided in front of all buildings. A sidewalk constructed to Henrico County standards shall be constructed along the boundary line of the Property with Willard Road.
16. **Trash.** There shall be no central trash receptacles.



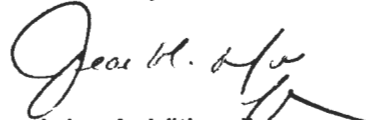
17. **Entrance Feature.** Any detached entrance sign shall be ground mounted monument style and not exceed 10 feet in height.
18. **Common Amenities.** A central recreational gathering and multi-use area shall be built on the Property in the area generally as shown on the Concept Plan (Exhibit A), (see case file). Such recreational area shall include various improvements, such as benches, tables, gazebo, landscaping and other passive or active amenities, to facilitate community activities. All common amenities and common areas shall be maintained by an association for the benefit of the residents and their guests.
19. **Buffer Requirements.** Any buffer within the Property required herein may be landscaped, including supplemental plantings, signage, berms and/or fencing and other purposes as approved by the Planning Commission at the time of landscape plan review. Roads, sidewalks, utility easements (including drainage), common owned fencing/walls adjacent to any roads or drives, and signage shall be permitted within such buffer; provided, any such road or utility easements shall be extended generally perpendicular through such buffer. All buffers, whether in common area or a lot, shall be maintained by an association applicable to the Property. All buffers designated on the Concept Plan (see case file) as "25' BUFFER" shall be planted to the equivalent of a Transitional Buffer 25, unless the buffer is adjacent to residentially zoned property at the time of the Plan of Development review of the Property, in which case such buffer will be planted to the equivalent of a Transitional Buffer 35.
20. **Underground Utility Lines.** All utility lines on the Property shall be underground, except for existing utilities, junction boxes, meters, utility lines in wetlands areas, and utility lines required to be above ground by the utility company.
21. **Best Management Practices.** Best Management Practice structures shall be located outside of any landscaped buffer within the Property, except as a landscaping amenity or water related feature, or unless approved at the time of subdivision review. Any wet pond best management practice structures shall include an aeration feature to move water within such structure.
22. **Protective Covenants.** Prior to or concurrent with the final approval of the initial Plan of Development for the Property, a document setting forth covenants 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 the Property and establishing one or more owners' associations.
23. **Condominium Act.** Any Condominiums constructed on the Property shall comply with the Virginia Condominium Act.

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24. **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. Vithoulkas  
County Manager

pc: North Gayton Company, LLP  
Lawrence Motor Company  
Mr. Andrew M. Condlin, Esquire  
Director, Real Estate Assessment  
Tiffany S. Hinton, Ph.D., Dir. Research and Planning - Schools

**WOOD FENCE DETAIL**  
UNLESS OTHERWISE APPROVED AT THE TIME OF PLAN OF DEVELOPMENT REVIEW.

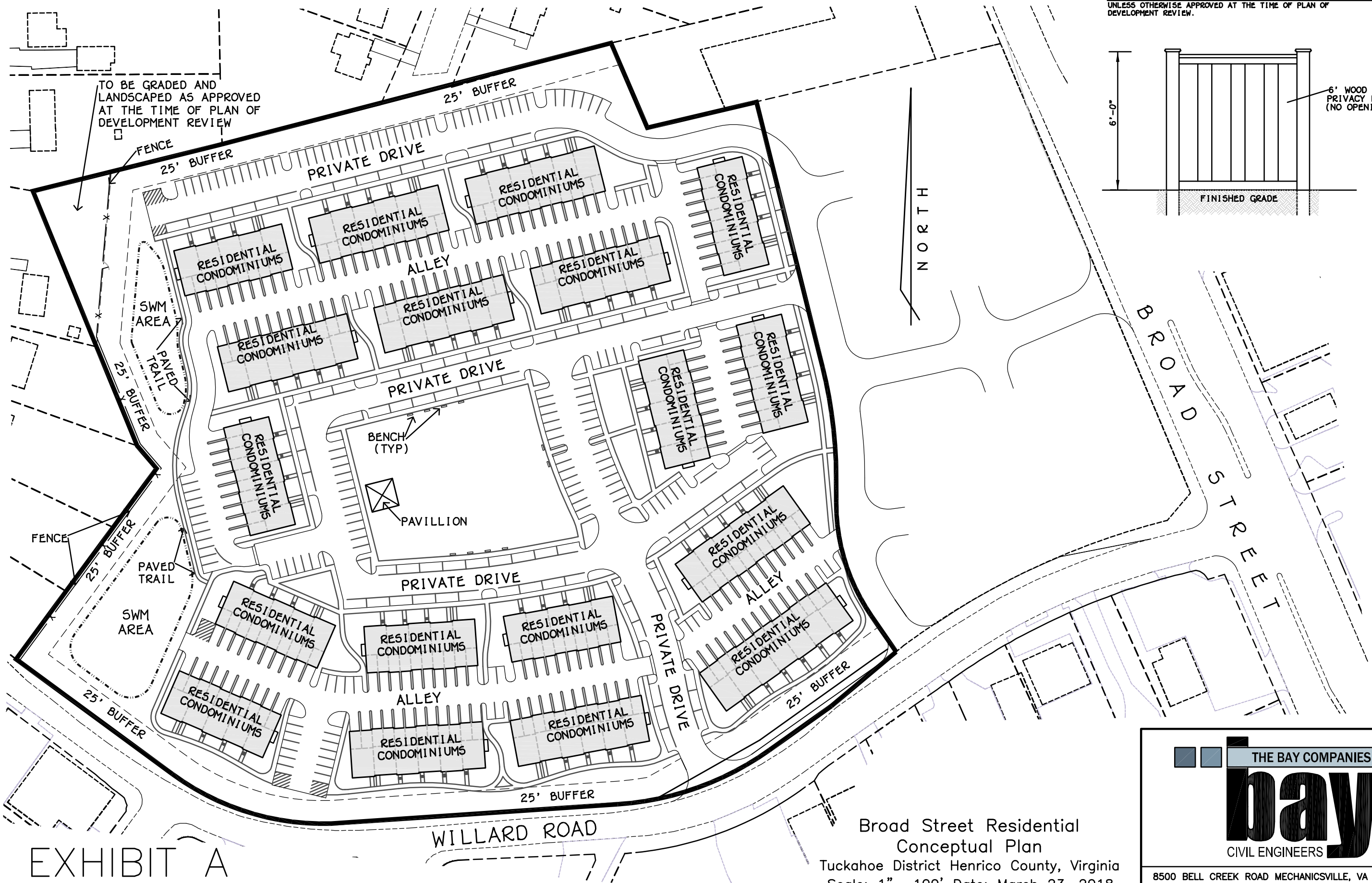
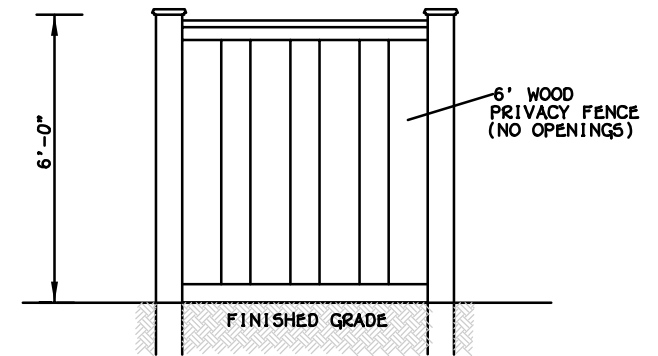
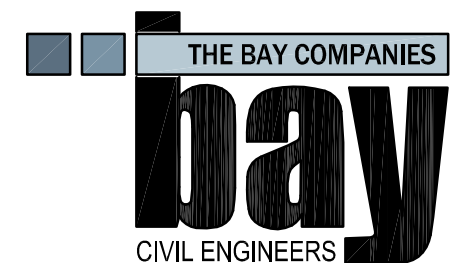


EXHIBIT A

REZ2018-00012

Broad Street Residential  
Conceptual Plan  
Tuckahoe District Henrico County, Virginia  
Scale: 1"= 100' Date: March 23, 2018



8500 BELL CREEK ROAD MECHANICSVILLE, VA 23116  
PH:(804)569-7060 FILED:17048\_ZONING



