

O-2C to O-2C
2.497 Ac,

O-2C to R-6C
7.407 Ac,

REZ2020-00029

Zoning

Office / Residential Condominiums

Three Chopt District

400 Feet

PS June 2020 Ref: 740-766-3730

Parcels or Portions thereof identified on this sheet are within the West Broad Street Overlay District and are subject to Special Regulation



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoukias
County Manager

October 20, 2020

Hans Klinger
HHHunt Corporation.
11237 Nuckols Road
Glen Allen, VA 23059

Re: Rezoning Case REZ2020-00029

Dear Sir/Madam:

The Board of Supervisors at its meeting on October 13, 2020, approved your request to conditionally rezone from O-2C Office District (Conditional) to O-2C Office District (Conditional) (2.497 Ac.), and R-6C General Residence District (Conditional) (7.407 Ac.) Parcels 739-766-9016, 739-766-9601, 740-765-3690, 740-766-2619, and 740-766-3730 containing 9.904 acres of land located northeast of the intersection of Pouncey Tract Road (State Road 271) and Twin Hickory Lake Drive.

Parcel Zoned from O-2C to R-6C

Beginning at a point on the north line of Twin Hickory Lake Drive, said point being 263.27' east of the east line extended of Pouncey Tract Road and having a Henrico County N.A.D. 83 coordinate value of $n=3765836.51$, $e=11740020.89$; thence leaving the north line of Twin Hickory Lake drive N $15^{\circ}20'55''$ W, a distance of 449.94' to a point; thence N $67^{\circ}05'05''$ E, a distance of 309.83' to a point; thence S $46^{\circ}33'54''$ E, a distance of 17.07' to a point; thence N $66^{\circ}47'44''$ E, a distance of 116.61' to a point; thence S $46^{\circ}42'34''$ E, a distance of 366.74' to a point; thence S $43^{\circ}17'26''$ W, a distance of 107.98' to a point; thence S $46^{\circ}33'54''$ E, a distance of 103.13' to a point; thence N $82^{\circ}34'10''$ E, a distance of 405.65' to a point; thence S $01^{\circ}44'20''$ E, a distance of 103.80' to a point on the north line of Twin Hickory Lake Drive; thence continuing along the north line of Twin Hickory Lake Drive along a curve to the right having a delta angle of $00^{\circ}28'31''$, a radius of 43959.35', an arc length of 364.7', a chord bearing of S $81^{\circ}45'09''$ W, with a chord length of 364.7' to a point; thence S $81^{\circ}59'25''$ W, a distance of 604.00' to the point and place of beginning containing 7.407 acres of land.

Parcel Zoned from O-2C to O-2C

Beginning at a point on the north line of Twin Hickory Lake Drive, said point being 263.27' east of the east line extended of Pouncey Tract Road and having a Henrico County N.A.D. 83 coordinate value of $n=3765836.51$, $e=11740020.89$; thence continuing along the north line of Twin Hickory Lake Drive S $81^{\circ}59'25''$ W, a distance of 228.27' to a point; thence N $57^{\circ}05'00''$ W, a distance of 52.89' to a point on the east line of Pouncey Tract Road; thence continuing along the east line of Pouncey Tract Road N

16°09'20" W, a distance of 182.40' to a point; thence along a curve to the right having a delta angle of 02°28'59" a radius of 3784.54', an arc length of 164.02', a chord bearing of N 14°54'50" W, with a chord length of 164.01' to a point; thence leaving the east line of Pouncey Tract Road N 67°05'05" E, a distance of 265.24' to a point; thence S 15°20'55" E, a distance of 449.94' to the point and place of beginning containing 2.497 acres of land.

The Board of Supervisors accepted the following proffered conditions, dated September 28, 2020, which further regulate the above described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

APPLICABLE TO ALL

1. Conceptual Master Plan. Development of the property shall be in general conformance with Exhibit A attached hereto entitled "The Comer at Twin Hickory," which Conceptual Master Plan is conceptual in nature and may vary in detail, unless otherwise requested by the owner and specifically approved by the Director of Planning.
2. Protective Covenants. Prior to the issuance of the first building permit, 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 the Property.
3. Underground Utilities. Except for junction boxes, meters, pedestals, transformers, and existing overhead utility lines, all new utility lines shall be installed underground.
4. Hours of Construction. The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall be between 7:00 a.m. and 7:00 p.m. Monday through Friday, between 8:00 a.m. and 5:00 p.m. on Saturdays and none on Sundays; provided, however, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connectors.
5. Road Construction and Dedications. Road improvements and/or dedications shall be made as follows:
 - a. Right of way dedication and construction of a second lane, right turn lane, and sidewalk along the property frontage of Pouncey Tract Road to enter the Property.
 - b. Right of way dedication and construction of a right turn lane along westbound Twin Hickory Lake Drive to enter the Property.

- c. A second left turn lane from westbound Twin Hickory Lake Drive onto southbound Pouncey Tract Road shall be provided so long as such improvements can be made within the existing right-of-way as follows: (i) restriping of Twin Hickory Lake Drive to provide a second left turn lane on the westbound approach within the existing roadway cross-section; and (ii) widening southbound Pouncey Tract Road from Liesfeld Farm Drive to the existing two lane section on Pouncey Tract Road near Pouncey Place to provide two receiving lanes for the two left turn lanes from Twin Hickory Lake Drive. Re-striping shall occur on Pouncey Tract Road to accommodate the additional lane.
 - d. Any land area dedicated but not used by the County for its intended purposes with thirty (30) years after such dedication, such land area shall be returned to the party so dedicating such land area.
 - e. The foregoing road improvements shall be commenced with the initial development of the Property unless otherwise requested by the owner and approved by the Planning Commission at the time of Plan of Development approval.
6. Private 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 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 and turning radii), to include proper compaction of the subbase soils, utility trenches, base stone, and asphalt surface.
 7. Severance. The unenforceability, elimination, revision or amendment or any proffer set forth herein, in whole or in part, shall not affect the validity or enforceability of any of the other proffers or the unaffected part of any such proffer.
 8. Trash and Recycling Receptacles Areas. All dumpsters, trash and recycling receptacles, (not including convenience cans), shall be screened from view at the boundary line of the Property by a masonry or metal fence, gate, or wall (which may be a precast panel masonry fence) to match the exterior of the building on the property or as otherwise approved at the time of Plan of Development review.
 9. HVAC Screening. Any heating, ventilation and air conditioning equipment shall be screened from public view at ground level at the perimeter of the Property.
 10. Greenbelt. The twenty-five (25) foot greenbelt along Twin Hickory Lake Drive shall be shifted accordingly to accommodate the proposed right turn lane into the

property on Twin Hickory Lake Drive. Disturbed landscaping will be replanted to provide a cohesive streetscape with street trees and landscape material.

APPLICABLE TO O-2C PROPERTY

11. **Building Height.** The building on the Property shall not exceed forty (40) feet above the finished grade of the building at the front of the building.
12. **Trash Pickup, Parking Lot Cleaning, and Leaf Blowing.** No trash pick up, parking lot cleaning, or leaf blowing shall occur before 7:00 a.m. or after 7:00 p.m. Monday through Friday or before 8:00 a.m. or after 5:00 p.m. on Saturdays. No trash pick up, parking lot cleaning, or leaf blowing shall occur on Sundays.
13. **Architectural Treatment.** The architecture shall be generally in conformance with Exhibit B attached hereto, unless otherwise requested by the owner and specifically approved by the Director of Planning.
14. **Detached Signage.** Any detached signs shall be monolithic style signs, the base of which shall be landscaped. No portable signs or signs with changeable copy shall be permitted on the site. Signs shall be lit by ground mounted lighting and shall not be lit internally. No detached sign shall exceed a height of eight (8) feet, as measured from the base of the sign.
15. **Exterior Materials: Exterior Appearance.** The exposed portions of all exterior wall surfaces (front, rear and sides) of each building constructed on the Property shall be similar in architectural treatment and materials to each other and to all other buildings on the Property. The exposed exterior wall surfaces (above finished grad) shall consist of decorative metal, wood, brick, stone, glass, architectural precast, EIFS, stucco (if applied to a masonry surface) or any combination thereof, or other aesthetically comparable finished materials approved by the Planning Commission at Plan of Development review. No building on the property shall be covered with or have exposed to view any painted or unfinished concrete block, sheet or corrugated aluminum, iron and/or steel or other materials unless requested and specifically permitted at the time of Plan Development review.
16. **Twin Hickory Signage.** The existing sign for Twin Hickory located on the Property and an easement or other right of access for maintenance of such sign shall be conveyed to the Twin Hickory Homeowners' Association or its successors or assigns.
17. **Exterior Lighting.** Exterior lighting fixtures shall not exceed twenty (20) feet in height as measured from the grade of the base of the lighting standard or from the finished grade of the building directly below such lighting fixture, as the case may be. Exterior light fixtures, other than low intensity decorative ornamental fixtures such as gas style lamps, shall be produced from concealed sources of

light and shall be reduced to no more than a security level following the close of business operations each day. At no time shall the parking lot lighting exceed one-half (1/2) foot-candle beyond the boundary lines of the Property. All parking lot lighting shall be positioned in such a manner as to minimize the impact of such lighting on any adjacent property. Ground-mounted lighting fixtures shall be mounted on footings to prevent the use of direct embedded light standards.

18. Private Roads. The internal roadways shall be private and shall be maintained by the owner of the property.

APPLICABLE TO R-6C ZONED PROPERTY

19. Building Materials. Primary exterior wall materials (exclusive of windows, gables, doors, trim, soffit and fascia) shall be brick, stone, cultured stone, stone veneer, brick, fiber cement board (e.g. HardiePlank), engineered wood (e.g. LP Smartside), or a combination of the foregoing unless different architectural treatment and/or materials are requested by owner and approved by the Director of Planning. Fiberboard (e.g. Masonite) shall not be permitted as an exterior wall material.

20. Density. There shall be no more than ninety (90) residential units.

21. Architectural Treatment. Units shall be generally in conformance with Exhibit C attached hereto, unless otherwise requested by the owner and specifically approved by the Director of Planning.

22. Foundation Planting. Foundation planting beds are required along the entire front facade of the house, excluding porches, architectural features and garages, and shall contain a minimum of fifty (50) percent evergreen material. The front corner of each building shall be visually softened with a vertical accent shrub or small evergreen tree.

23. Irrigation. Front, side and rear yards shall be sodded and irrigated, excluding mulched beds.

24. Foundations. The exposed exterior portions of all foundations below the first floor level shall be finished with brick, stone or cultured stone. For all elevations there shall be a minimum of eight inches (8") of brick, stone or cultured stone visible above grade. Where a hardship of the lot prevents compliance with this proffer, the requirements may be modified or waived by the Director of Planning.

25. Minimum Unit Sizes. Units shall consist of not less than 1,050 gross square feet. Minimum floor area shall not include garages or breezeways. Floor area shall be measured along the exterior walls of the structure.

26. Building Height. The buildings on the Property shall not exceed thirty-five (35) feet above the finished grade of the building at the front of the building.

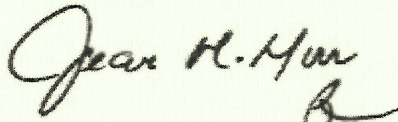
27. Exterior Lighting. Exterior lighting fixtures shall not exceed sixteen (16) feet in height as measured from the grade of the base of the lighting standard or from the finished grade of the building directly below such lighting fixture, as the case may be. Parking lot lighting shall be produced from concealed sources of light. At no time shall the parking lot lighting exceed one-half (1/2) foot-candle beyond the boundary lines of the Property. All parking lot lighting shall be positioned in such a manner as to minimize the impact of such lighting on any adjacent property.

Façade accent lighting and landscape lighting of no more than 50 watts is permitted. Floodlights a maximum of 300 watts per bulb may be eave mounted and located such that the light is directed completely within boundary lines of the Property. All exterior lighting shall be compatible with the building in style and finish.

28. Private Roads. The internal roadways shall be private and shall be maintained by an owners' association

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: James W. Theobald
Director, Real Estate Assessment
Mr. Chris Sorenson
Mr. Justin Briggs
Police, Special Services

EXHIBIT A CONCEPTUAL PLAN



REZ2020-00029

EXHIBIT B OFFICE ELEVATION



ELEVATION - WEST
08.13.2020

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PERSPECTIVE
08.13.2020

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REZ2020-00029

EXHIBIT C RESIDENTIAL ELEVATIONS

5 Unit Building Typical Elevations



Front



Side



Rear



Side

EXHIBIT C (cont'd) RESIDENTIAL ELEVATIONS

10 Unit Building Typical Elevations



Front/Rear



Side



Front/Rear



Side

EXHIBIT C (cont'd) RESIDENTIAL ELEVATIONS

Alternate Condo Building Typical Elevations



5 Unit Bldg



5 Unit Bldg



10 Unit Bldg