



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoulkas
County Manager

May 18, 2021

Kim Kacani
CA Twin Hickory LLC
11237 Nuckols Road
Glen Allen, Virginia 23059

Re: Rezoning Case REZ2021-00012

Dear Ms Kacani:

The Board of Supervisors at its meeting on May 11, 2021, approved your request to conditionally rezone from R-6C General Residence District (Conditional) and O-2C Office District (Conditional) to R-6C General Residence District (Conditional) Parcels 740-766-2619 and 740-766-6112 and part of Parcels 740-765-3690, 740-766-3730, 739-766-9016, 739-766-9601 containing 8.675 acres located on the north line of Twin Hickory Lake Drive approximately 263' east of its intersection with Pouncey Tract Road (State Road 271), described as follows:

Beginning at a point on the north line of Twin Hickory Lake Drive, said point being 227.85' east of the east line extended of Pouncey Tract Road and having a Henrico County N.A.D. 83 coordinate value of N=3765831.57, E=11739985.82; thence leaving the north line of Twin Hickory Lake Drive N 08°00'35" W, a distance of 118.39' to a point; thence N 15°20'55" W, a distance of 325.33' to a point; thence N 67°05'05" E, a distance of 330.01' to a point; thence S 46°33'54" E, a distance of 17.07' to a point; thence N 66°47'44" E, a distance of 173.73' to a point; thence S 46°35'20" E, a distance of 577.45' to a point; thence N 82°34'10" E, a distance of 199.72' to a point; thence S 01°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°28'31", a radius of 43959.35', an arc length of 364.71', a chord bearing of S 81°45'09" W, with a chord length of 364.71' to a point; thence S 81°59'25" W, a distance of 639.41' to the point and place of beginning containing 8.675 acres of land.

The Board of Supervisors accepted the following proffered conditions, dated December 17, 2020, 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 Exhibit A attached hereto entitled "The Corner at Twin Hickory" (see case file), 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.
11. **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.
12. **Density**. There shall be no more than one hundred five (105) residential units.
13. **Architectural Treatment**. Units shall be generally in conformance with Exhibit B attached hereto, unless otherwise requested by the owner and specifically approved by the Director of Planning.

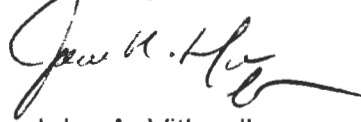
14. **Foundation Planting**. Foundation planting beds are required along the entire front façade of the house, excluding porches, architectural features and garages, and shall contain a minimum of fifty (50) percent evergreen material. The front corner of each building shall be visually softened with a vertical accent shrub or small evergreen tree.
15. **Irrigation**. Front, side and rear yards shall be sodded and irrigated, excluding mulched beds.
16. **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.
17. **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.
18. **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.
19. **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.
20. **Private Roads**. The internal roadways shall be private and shall be maintained by an owners' association.
21. **Buffer Along Hickory Woods**. A landscaped buffer area of a minimum of thirty-five (35) feet in width along the property line adjacent to lots 93 through 98 of Hickory Woods subdivision, shall be installed except to the extent necessary or allowed for utility easements that may pass through the buffer in a generally perpendicular manner (unless currently existing), walkways, fencing and other purposes requested and specifically approved at the time of Plan of Development. Such buffer shall be in accordance with the requirements for a Transitional Buffer 35 (with credit for existing trees and shrubs) or as otherwise

requested by the owner and approved at the time of Plan of Development. Existing vegetation and underbrush may, and fallen, diseased or dead plant growth shall be removed from the buffer area, and if so removed, additional plantings shall be added.

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

Sincerely,

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

John A. Vithoulkas
County Manager

pc: Jeffrey P. Geiger, Esq., Hirschler
Rose L. Farmer
Pouncey Tract Land Trust
Coppersouth Properties, LLC
Director, Real Estate Assessment
Justin Briggs, Schools

The Corner at Twin Hickory

Proposed Plan

105 Condo Units

EXHIBIT A

REZ2021-00012



RESIDENTIAL ELEVATIONS

5 Unit Building Typical Elevations



Front



Side



Rear



Side

RESIDENTIAL ELEVATIONS

10 Unit Building Typical Elevations



Front/Rear



Side



Front/Rear



Side

RESIDENTIAL ELEVATIONS

Alternate Condo Building Typical Elevations



5 Unit Bldg



5 Unit Bldg



10 Unit Bldg