



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

John A. Vithoulkas
County Manager

February 15, 2022

Laurel Land, LLC
301 Sweetbriar Drive
Richmond, VA 23238-6213

Re: Rezoning Case REZ2021-00041

Dear Sir/Madam:

The Board of Supervisors at its meeting on February 8, 2022, approved your request to conditionally rezone from R-2 One-Family Residence District and [R-6C] General Residence District (Conditional) to R-6C General Residence District (Conditional) Parcels 767-760-8701, 768-759-3393, and 768-760-1507 containing 5.30 acres located at the northeast intersection of Hungary Spring and Hungary Roads as described as follows:

COMMENCING at a point being the intersection of the east line of Hungary Spring Road and the north line of Hungary Road; thence N25°25'21"E 27.95 feet to a point on the east line of Hungary Spring Road, said point being the POINT OF BEGINNING; thence continuing along the east line of Hungary Spring Road, N25°25'21"E 168.86 feet to a point; thence along a curve to the right having a radius of 572.31 feet, an arc length of 238.60 feet and a chord of N37°22'53"E 236.87 feet to a point; thence along a curve to the right having a radius of 344.91 feet, an arc length of 70.64 feet and a chord of N55°27'E 70.52 feet to a point; thence N60°59'09"E 53.06 feet to a point; thence departing the east line of Hungary Spring Road, S41°55'12"E 64.96 feet to a point along the south line of Old Route 33; thence continuing along the south line of Old Route 33, S29°09'50"E 31.79 feet to a point; thence along a curve to the left having a radius of 1,434.01 feet, an arc length of 104.21 feet and a chord of S31°14'45"E 104.19 feet to a point; thence S33°19'40"E 419.65 feet to a point which is the terminus of Old Route 33; thence continuing along the terminus of Old Route 33, N56°40'04"E 25.00 feet to a point; thence departing the terminus of Old Route 33, S33°19'40"E 157.77' to a point along the west line of English Crescent Drive; thence continuing along the west line of English Crescent Drive, S29°13'20"W 30.05 feet to a point; thence departing the west line of English Crescent Drive, S73°13'18"W 43.13 feet to a point along the north line of Hungary Road; thence continuing along the north line of Hungary Road along a curve to the left having a radius of 1472.39 feet and arc length of 235.76 feet and a chord of N67°36'28"W 235.50 feet to a point; thence along a curve to the right having a radius of 446.25 feet, an arc length of 19.35 feet and a chord of N72°19'42"W 19.35 feet to a point; thence N73°33'50"W 478.09 feet to a point; thence departing the north line of Hungary Road, N30°56'09"W 40.77 feet to a point along the east line of Hungary Spring Road, said point being the POINT OF BEGINNING and containing 230,931 square feet or 5.301 acres of land, more or less.

The Board of Supervisors accepted the following proffered conditions, dated December 15, 2021, 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 "POINT AT LAUREL LAKES, CONCEPTUAL PLAN," dated September 7, 2021, and prepared by Balzer & Associates, Inc. (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 fifty-nine (59) 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 have elevations generally be in conformance with Exhibit B (see case file) dated September 13, 2021 and attached hereto and by this reference made a part hereof, unless otherwise approved 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.

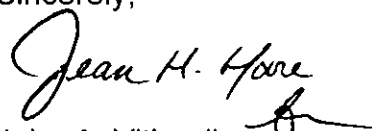
7. **Chimneys**. The exposed portions of all fireplace chimneys shall be of brick, stone, cultured stone, or siding similar to the exterior treatment of the building. The exposed bases of all chimneys shall be of the same material as the dwelling foundation. This proffer shall not apply to direct-vent 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 facades.
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 a.m. and 7:00 p.m. (or dusk which shall first occur) Monday through Friday and 7:30 a.m. and 5:00 p.m. 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 final 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 be constructed with 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 materials the Director of Planning determines to be similar.
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 Department of Public Works standards for sidewalks shall be constructed along the boundary line of the Property with Hungary Road.
16. **Entrance Feature.** Any detached entrance sign shall be ground mounted monument-style.
17. **Buffer Requirements.** Any required buffer within the Property shall include supplemental plantings, signage berms and/or fencing and other purposes as approved 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.
18. **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.
19. **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.
20. **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.
21. **Condominium Act.** Any Condominiums constructed on the Property shall comply with the Virginia Condominium Act.

22. **C-1 Zoning.** The Applicant shall file an application for C-1 zoning for the areas within the Property that are within the 100 year flood plain, unless such areas are located in a lot or are needed for roads, access ways or other purposes approved or required by the Director of Planning or the Planning Commission or any other governmental body or official at the time of plan of development review of that portion of the Property. Such rezoning application shall be filed as soon as reasonably practical, but in no case later than the final plan of development approval for the Property. The acreage then zoned C-1, unless in a lot on the Property, shall be part of the common area of the project.
23. **Amenities.** Common amenities, including a pavilion, as shown on the Concept Plan (see case file), and one or more of a grilling stations, benches, pedestrian and meeting area and other amenities approved at the time of Plan of Development review shall be provided throughout the development. A central mailbox unit will be provided in the project for mail service.
24. **Road Vacation.** Prior to the submission to the County of any plan of development or subdivision on the Property, the Applicant shall file an application (and pay all fees and other costs associated with such vacation and abandonment request) for vacation and abandonment of Old Route 33 (Courtney Road) as it adjoins the Property. The Applicant shall pay all fees and other costs associated with such vacation and abandonment request.
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.

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

Sincerely,



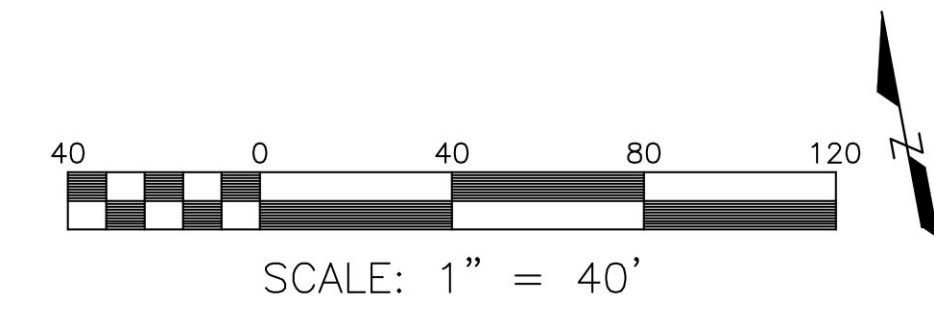
John A. Vithoukas
County Manager

pc: Stephen E. Searce
Andrew M. Condlin
Justin Briggs
Director, Real Estate Assessment

POINTE AT LAUREL LAKES CONCEPTUAL PLAN

8024/8030 HUNGARY ROAD
9620 OLD ROUTE 33
HENRICO COUNTY, VIRGINIA

EXHIBIT A
September 7, 2021



REZ2021-00041

JOB NO. 54170275.00
09/07/2021
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Elevation K

Elevation F

Elevation H

Elevation M

Elevation K

Elevation L

Elevation F