

Parcels or Portions thereof identified on this sheet are within the Airport Safety Overlay District and are subject to Special Regulation

**REZ2021-00049**

**Zoning**

Apartments and Townhouses

Varina District

400 Feet

PS August 2021 Ref: 807-723-6293



COMMONWEALTH OF VIRGINIA  
COUNTY OF HENRICO

John A. Vithoulikas  
County Manager

November 16, 2021

Better Housing Coalition  
23 W. Broad Street  
Richmond, VA 23220

Re: Rezoning Case REZ2021-00049

Dear Sir/Madam:

The Board of Supervisors at its meeting on November 9, 2021, approved your request to conditionally rezone from M-1C Light Industrial District (Conditional) to R-5C General Residence District (Conditional) Parcel 807-723-6293 containing 10.328 acres located 300' southeast of the intersection of Dabbs House Road and Shillingford Drive, described as follows:

Commencing at a point being the intersection of the east line of Dabbs House Road and the south line of Shillingford Drive; thence continuing along the east line of Dabbs House Road South 01°32'57" West a distance of 102.81 feet to a point; thence leaving the east line of Dabbs House Road South 68°56'25" East a distance of 215.47 feet to a point being the point of beginning; thence South 68°51'17" East a distance of 162.99 feet to a found stone; thence South 69°11'35" East a distance of 254.74 feet to a found rod; thence South 01°54'53" West a distance of 1,058.31 feet to a found rod; thence South 89°54'46" West a distance of 399.22 feet to a found rod; thence North 02°06'25" East a distance of 1,208.43 feet to a point being the point of beginning and containing 10.328 acres of land, more or less.

The Board of Supervisors accepted the following proffered conditions, dated November 9, 2021, which further regulate the above-described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Master Plan.** The property shall be developed in general conformance with the Conceptual Plan entitled "Richmond - Carter Woods III" prepared by Moseley Architects dated September 28, 2021 (the "Conceptual Plan"), which is filed herewith (see case file). The illustrations and information comprising elements of the Master Plan are conceptual in nature and may vary in detail. If not in general conformance with the foregoing, deviations may be approved by the Director of Planning in connection with any subsequent Plan of Development, subdivision approval, or any other variation permitted by the Director upon a finding that the deviations are generally in keeping with the spirit and concept of the Conceptual Plan.

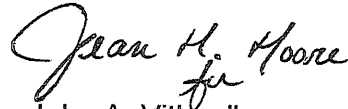
2. **Residential Units.**
  - a. The total number of residential dwelling units on the Property shall not exceed the following:
    - i. Up to 106 multifamily dwelling units; and
    - ii. Up to 28 for-sale townhome dwelling units.
  - b. Multifamily dwellings developed on the Property shall be comprised only of one- or two- or three-bedroom units. No plan of development shall be approved for the Property comprised of 3-bedroom units numbering greater than thirty percent (30) of the total multifamily units therein.
3. **Refuse.** Internal trash removal shall be provided to buildings comprised of multifamily dwellings. Convenience cans shall be provided to the townhome dwellings and stored in a manner approved at the time of Plan of Development review. Trash receptacles, other than convenience cans, shall be screened from public view at ground level at the property line of the Property in a manner approved at the time of Plan of Development review. Refuse removal and parking lot cleaning shall be limited to the hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday.
4. **Hours of Construction.** Construction materials delivery and active construction activity shall be limited to the periods of 7:00 a.m. to 8:00 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 or utility connections. Exceptions shall require the approval of the Director of Planning. Construction signs shall be posted in English and in Spanish and shall state the hours of construction. For the avoidance of doubt, active construction activity shall not be deemed to include contractor/subcontractor arrival and departure nor on-site materials staging.
5. **Pedestrian Areas and Sidewalks.** The development of the Property shall include pedestrian sidewalks and amenities in general conformance with the Conceptual Plan, including without limitation, landscaped and natural areas, pedestrian lighting, gathering areas, and access ways connecting to sidewalks.
6. **Amenity Area.** A clubhouse amenity for residents shall be provided, the location, character and extent of which shall be in general conformance with the Conceptual Plan and clubhouse Elevations, as hereinafter defined. No final certificate of occupancy for the second building comprised of multifamily dwelling units shall be issued unless and until the issuance of building permits for the construction of the clubhouse building.
7. **Parking Lot Lighting.** Parking lot lighting shall be produced from concealed sources of light, shall not exceed fifteen (15) feet in height, and shall be positioned in such a manner as to minimize the impact of such lighting off-site.

8. **HVAC.** Heating and air conditioning equipment on the Property shall be screened from public view at ground level at the exterior property lines in a manner approved in connection with Plan of Development Review. For the avoidance of doubt, the foregoing restriction shall not include new lot lines created for the townhome dwelling units on the Property.
9. **Sound Suppression.** Any walls between residential units located on the Property shall have a minimum sound transmission coefficient rating of 50. Any ceilings between residential units located on the Property shall have a minimum sound transmission coefficient rating of 55.
10. **Underground Utilities.** All utilities on the Property shall be underground except for relocated overhead utility lines. Electrical junction boxes and meters at ground level shall be screened from public view.
11. **Stormwater Facilities.** Stormwater management facilities on the Property shall be an underground system.
12. **Screening.**
  - a. To mitigation the visual impact of adjacent industrial uses, there shall be a landscaped buffer of six feet (6') in width, located generally parallel to and contiguous with the western boundary of the Property, from the southern corner of the Property to the southern edge of the resource protection area with a break in the location of the access road (the "Western Buffer"). The Western Buffer shall be planted to the standards of Transition Buffer 10, as set forth in Section 24-5310 of the Code of the County, or as may otherwise be approved in connection with plan of development review. To the extent required by the Director as a screening alternative to the Transition Buffer 10 plantings at the time of Plan of Development Review, Owner shall cause the installation of a 6-foot fence of vinyl or aluminum materials within the Western Buffer prior to issuance of a certificate of occupancy for the first structure containing multifamily use, according to specifications approved in connection with plan of development review. The final location of the Western Buffer shall be as approved in connection with plan of development review.
  - b. Any road, utility easement, signage, fences or use permitted within the Western Buffer shall be extended generally perpendicular to the buffer area unless otherwise requested and specifically permitted, or if required, by the County at the time of Plan of Development review and where permitted, areas disturbed for utility installations shall be restored to the extent reasonably practical.

13. **Materials.** Buildings on the Property shall be a combination of any of the following: brick and cementitious siding. No vinyl siding shall be used. Roof materials shall be dimensional architectural shingles or better with a minimum 30-year warranty. Thermoplastic polyolefin (PTO) roofing shall be permitted on flat roofs. Alternate materials may be allowed if requested by Owner and specifically approved by the Director of Planning upon a finding that such materials are of equivalent quality, function or manufacture to those specifically enumerated above.
14. **Architectural Treatment.** Any building constructed on the Property shall have an exterior architectural style generally consistent with "Option 2" of each of the exterior elevation plans prepared by Moseley Architects, dated September 28, 2021 (collectively, the "Elevations"), which are filed herewith (see case file). If not generally consistent with the foregoing, deviations may be approved by the Director of Planning in connection with any Plan of Development, subdivision approval, or any other variation permitted by the Director upon a finding that the deviations are generally in keeping with the spirit and concept of the Elevations.
15. **Access.** Prior to approval of a plan of development for the Property, Owner shall provide evidence of an ingress-egress easement over each of the two (2) off-site parcels shown on the Conceptual Plan as providing vehicular access to the Property, which easement(s) shall have been recorded in the land records of the County.
16. **Private Streets.** Upon completion, the Owner shall provide the Planning Department a certification from a licensed engineer that the roadways within the development are constructed according to the approved plan of development and in compliance with Henrico County's road design standards and specifications.
17. **C-1 Zoning.** Applicant shall file an application for C-1 zoning for the areas within the Property that are within the 100-year flood plain. Such rezoning application shall be filed as soon as reasonably practical following plan of development approval, but in any case prior to issuance of a certificate of occupancy for the last building on the Property containing multifamily uses. The acreage then zoned C-1 may or may not be included in any subdivision or lot on the Property, at the sole discretion of the Applicant.
18. **Public Utility Easement.** Applicant shall dedicate to the County an easement for public utilities within the area to be zoned C-1 pursuant to the preceding paragraph. The final location shall be shown on the plan of development. This easement shall be recorded in connection with other on-site public utility easements, as indicated on the approved plan of development.
19. **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,

A handwritten signature in black ink, appearing to read "John A. Vithoulkas". The signature is fluid and cursive, with the first name "John" being the most prominent.

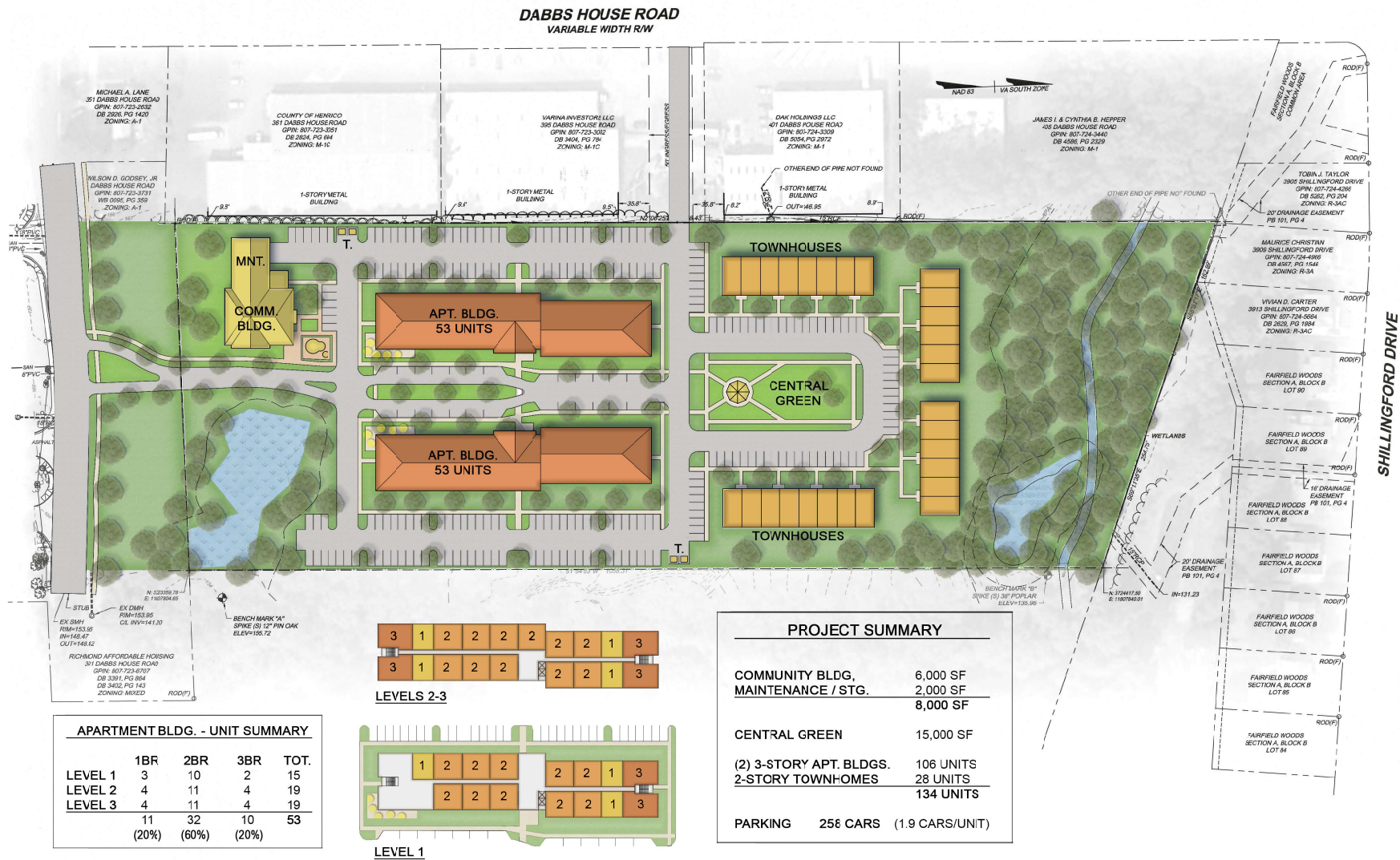
John A. Vithoulkas  
County Manager

pc:

T. Preston Lloyd, Jr.  
Director, Real Estate Assessment  
Justin Briggs, Schools  
Police, Special Services



# Proposed Site Plan



# Townhouse Elevations



Option 1



Option 2



# Multi-Family Elevations

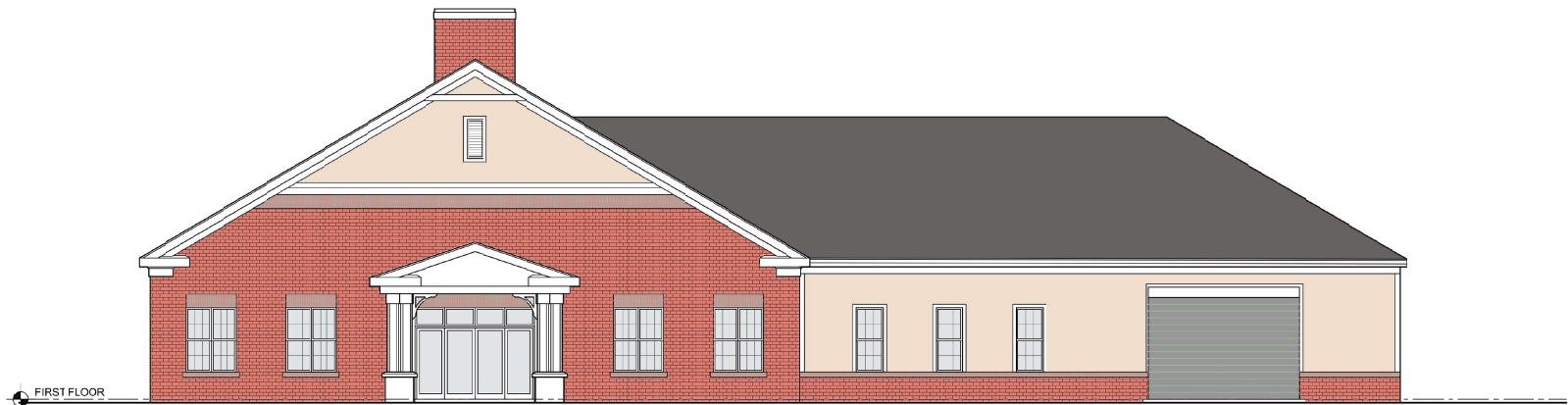


Option 1



Option 2

# Community Building Elevations



Option 1



Option 2