

REZ2021-00050

Zoning

Multi-Family Residential
Three Chopt District

400 Feet

PS August 2021

Ref: 738-769-3891



COMMONWEALTH OF VIRGINIA

COUNTY OF HENRICO

John A. Vithoulkas
County Manager

December 21, 2021

Eagle Construction of Va, LLC
10618 Patterson Avenue
Henrico, VA 23238

Re: Rezoning Case REZ2021-00050

Dear Sir/Madam:

The Board of Supervisors at its meeting on December 14, 2021, approved your request to conditionally rezone from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional) part of Parcel 738-769-3891 containing 14.582 acres located between the north line of N. Gayton Road and the terminus of Belair Place, described as follows:

Commencing at a point being the intersection of the west line of Pouncey Tract Road, State Route 271 and the north line of North Gayton Road; thence continuing along the north line of North Gayton Road, S27°54'57"W a distance of 45.07 feet to a point; thence S67°57'57"W a distance of 375.18 feet to a point; thence, S67°20'34"W a distance of 64.39 feet to a point; thence S71°54'59"W a distance of 150.37 feet to a point; thence S67°20'28"W a distance of 230.26 feet to a point; thence S63°32'47"W a distance of 45.03 feet to a point; thence S63°32'57"W a distance of 4.16 feet to a point being the true point and place of beginning; thence S63°32'57"W a distance of 69.60 feet to a point; thence S63°33'11"W a distance of 62.65 feet to a point; thence S67°20'25"W a distance of 419.90 feet to a point; thence leaving the north line of North Gayton Road, N53°42'25"W a distance of 377.20 feet to a point; thence N60°02'40"W a distance of 275.76 feet to a point; thence N11°32'20"E a distance of 462.53 feet to a point; thence N87°30'57"E a distance of 819.59 feet to a point; thence S02°29'03"E a distance of 294.72 feet to a point; thence S20°26'43"E a distance of 357.05 feet to a point, being the true point and place of beginning and containing 14.582 acres of land, more or less.

The Board of Supervisors accepted the following proffered conditions, dated November 16, 2021, which further regulate the above-described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Site Plan.** Development of the Property shall be in general conformance with the plan entitled "Sweetspire Conceptual Layout" dated November 5, 2021, prepared by Timmons Group ("Concept Plan"), attached hereto as Exhibit A (see case file). The central common area shall be designed with elements shown in the plan entitled "Sweetspire, Common Area Courtyard Design" dated November 2021, prepared by Cite Design (see case file), and may include but not be limited to a hardscape patio with chairs, dining tables, and string lights, a fire pit with lounge chairs, and multiple landscaped areas with seating, or as specifically approved at the time of Plan of

Development and/or landscape plan review. The area located between the wetlands and North Gayton Road shall remain undisturbed unless necessary for infrastructure or utility improvements, or as otherwise approved at the time of Plan of Development.

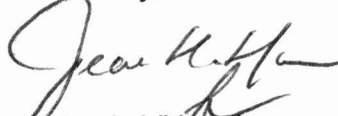
2. **Density.** There shall be no more than thirty-two (32) land condominium units developed on the Property.
3. **Age Restriction.** Except as otherwise prohibited by the Virginia Fair Housing Law, the Federal Housing Law, and such other applicable federal, state, or local legal requirements, all dwelling units constructed shall be restricted to "housing for older persons" as defined by the Virginia Fair Housing Law and shall have no persons under 19 years of age permanently domiciled therein.
4. **Transitional Buffer 25.** A landscaped buffer a minimum of ten (10) feet in width shall be planted, supplemented, or retained to a Transitional Buffer 25 standard in the areas shown on the Concept Plan (see case file). This buffer shall also include a black, wrought iron style aluminum fence a minimum of four (4) feet in height, the location of which shall be determined at the time of Plan of Development. Evergreen trees planted to meet this buffer requirements shall have a height of not less than six (6) feet at the time of planting. Deciduous trees planted to meet this buffer requirement shall have a minimum caliper of two and one-half (2.5) inches at the time of planting. Evergreen shrubs planted to meet this buffer requirement shall have a minimum height of twenty-four (24) inches at the time of planting.
5. **Underground Utilities.** Except for junction boxes, meters and existing overhead utility lines and technical or environmental reasons, all utility lines shall be underground.
6. **Lighting.** Street light standards shall not exceed sixteen (16) feet in height. Any street lights shall be non-glare, decorative in style, and residential in character. Direct embedded light poles and standards shall be prohibited.
7. **Exterior Materials.** Any building shall have exposed exterior walls (above finished grade) predominantly of brick veneer, stone veneer, cementitious siding, engineered wood (e.g. LP Smartside) or a combination of the foregoing, or as specifically permitted at the time of Plan of Development. Except for trim material, windows, doors and architectural features, no home shall have exposed exterior walls of vinyl or aluminum siding. A minimum of twenty-five (25) percent in the aggregate for all dwellings, of the exterior portions of the front building wall surfaces, excluding windows, doors, and gables, shall be brick, brick veneer, stone, or stone veneer.
8. **Architectural Style.** The homes constructed on the Property shall be similar in style to the attached exhibit entitled "Sweetspire, Conceptual Home Elevations" and dated November 2021 (see case file), or as specifically approved at the time of Plan of Development.
9. **Porches and Stoops.** No less than half of the homes whose rear yard abuts the central common area shall feature covered or uncovered porches, decks, or patios at least six

- (6) feet in depth adjacent to the common area. All said porches, unless constructed upon a foundation, shall be constructed on piers of brick or stone veneer which shall be a minimum of twelve (12) inches wide by eight (8) inches deep.
10. **Foundations.** The exterior portions of all residential foundations, including the portion below the first floor level which is visible above grade, shall be constructed of brick, brick veneer, stone, or stone veneer for a minimum vertical height of twelve (12) inches.
 11. **Detached Signage.** Any detached project identification signs shall be ground mounted, monolithic-type signs and if lit, shall be externally lit employing ground-mounted floodlight or spotlight-type fixtures directed toward such signs and away from public rights-of-way and adjacent residential properties.
 12. **Garages.** All homes except any home initially used as a model home, shall have at least a two-car garage at the time of Certificate of Occupancy.
 13. **Lawn Areas.** All yards and the central common area shown shall be initially sodded and shall be serviced by an irrigation system.
 14. **Minimum Size.** Homes shall have a minimum of 1,800 square feet of finished floor area.
 15. **Sidewalks.** Sidewalks shall be provided along both sides of the internal roadways.
 16. **BMP/Detention.** Any BMPs designed and constructed as a wet pond shall be aerated.
 17. **Hours of Construction.** The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall only be between 8:00 a.m. and 7:00 p.m., Monday through Friday and between 9:00 a.m. and 7:00 p.m. on Saturday with no construction activities on Sunday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or 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.
 18. **Restrictive Covenants/Condominium Association.** Prior to or concurrent with the recordation of the first phase plat and before the conveyance of any portion of the Property covered by said plat (other than for the dedication of easements, roads or utilities), 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 such portions of the Property. In addition, there shall be a Condominium Association of the owners of condominium units that shall be responsible for the enforcement of the restrictive covenants, including, but not limited to, maintenance of the common areas including common area landscaping and fencing.

19. **Street Trees.** Trees shall be planted along all streets at intervals of approximately forty (40) feet on center and shall measure at least two and one-half (2.5) inches in caliper at the time of planting.
20. **Access.** There shall be no vehicular access to Belair Place or Bowles Hill Court.
21. **Bowles Hill Court setback.** There shall be a building setback of not less than forty-five (45) feet adjacent to Bowles Hill Court.
22. **Bentley setback.** There shall be a building setback of not less than forty-five (45) feet adjacent to the Bentley subdivision in the area shown on the Conceptual Plan.
23. **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.

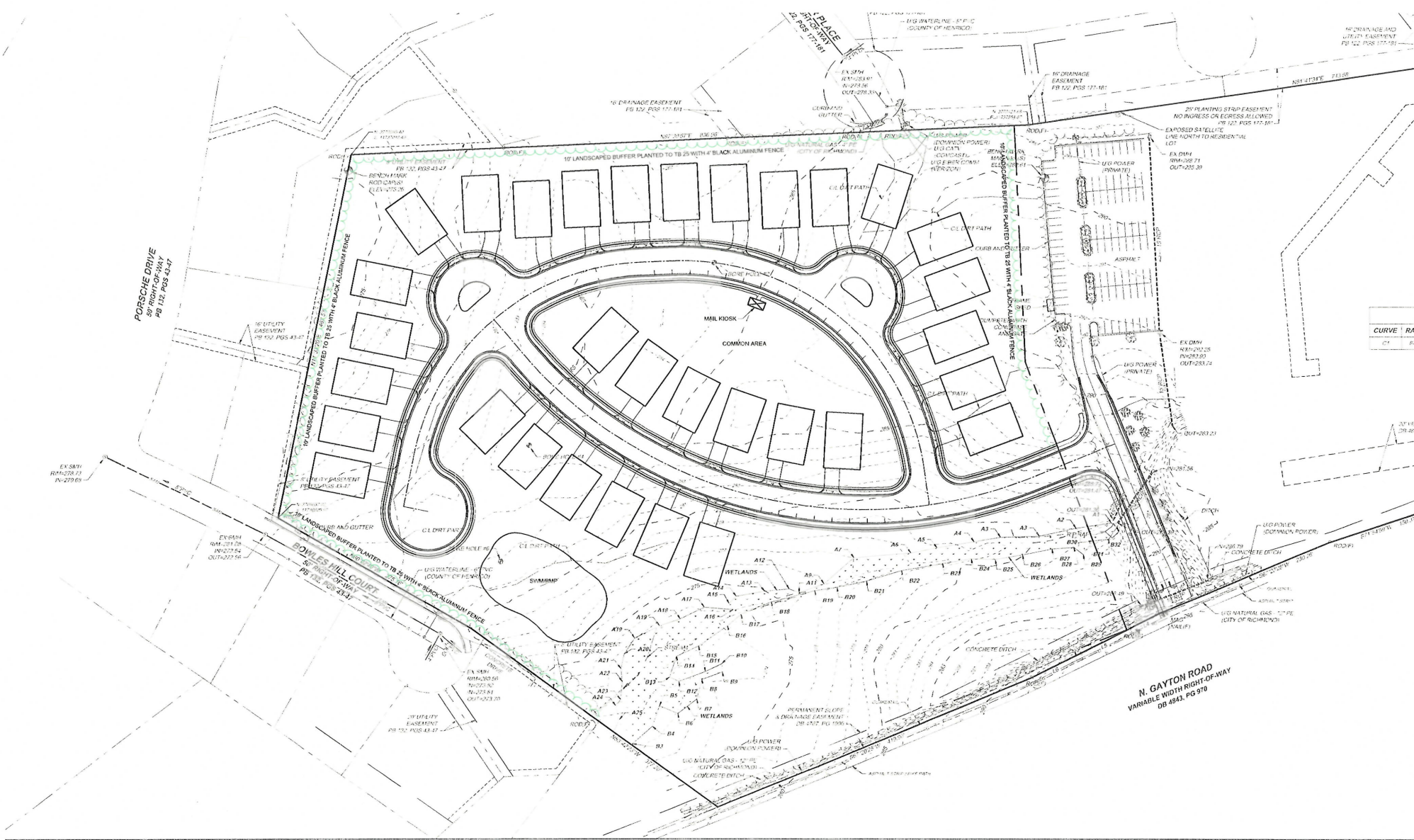
The Planning Department has been advised of the action of the Board of Supervisors and will revise its records.

Sincerely,



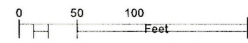
John A. Vithoulkas
County Manager

pc: Christ Church Episcopal Church Trs
Director, Real Estate Assessment
Justin Briggs, Schools



SWEETSPIRE

Conceptual Layout - November 5, 2021



REZ2021-00050





PLAN KEY

- 1 LARGE STREET TREES, TYP.
- 2 MED-LARGE SHADE TREES, TYP.
- 3 SMALL ORNAMENTAL TREES, TYP.
- 4 CONCRETE SIDEWALK, TYP.
- 5 MULTIPURPOSE LAWN
- 6 SITTING GARDEN
- 7 FIRE PIT WITH LOUNGE CHAIRS
- 8 PLANTING BED, TYP.
- 9 WALKWAY TO ADJACENT RESIDENCE, TYP.
- 10 MAIL KIOSK
- 11 DINING AREA WITH DINING TABLES AND STRING LIGHTS
- 12 STEPPING STONES

INSPIRATION IMAGES



SHARED LAWN SPACE WITH FIRE PIT AND COVERED PAVILION



SITTING GARDEN WITH CHAIRS AND SIDE TABLES



SHARED LAWN AND GARDEN SPACE



OPEN LAWN SPACE WITH FIRE PIT



DINING WITH STRING LIGHTS OVERHEAD

SWEETSPIRE

COMMON AREA COURTYARD DESIGN

NOVEMBER 2021



HENRICO, VIRGINIA



0 15 30 60 ft



CITE DESIGN

L01



SWEETSPIRE

Conceptual Home Elevations
November 2021

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