

**A-1 to RTHC
8.387 Ac.**

REZ-2024-100572
Zoning
 Multi Family Residential
 Fairfield District

300 Feet

PS March 2024 Ref: 778-772-7200



COMMONWEALTH OF VIRGINIA
COUNTY OF HENRICO

September 17, 2024

John A. Vithoukias
County Manager

Winfrey Road LLC
P.O. Box 860
Glen Allen, VA 23060-0860

Re: Rezoning Case REZ-2024-100572

Dear Sir/Madam:

The Board of Supervisors at its meeting on September 10, 2024, approved your request to conditionally rezone from A-1 Agricultural District to RTHC Residential Townhouse District (Conditional) part of Parcel 778-772-7200 containing 8.39 acres located at the southeast intersection of Woodman Road and Winfrey Road, described as follows:

Beginning at a point located on the east line of Winfrey Road and the south line of Woodman Road, said point having a coordinate value of N=3771437.90 and E=11778329.71 (North American Datum 1983 -- Virginia South Zone); thence continuing along the south line of Woodman Road along a curve to the right having a radius of 1106.00' a delta of 5°54'57" and a length of 114.20' to a point; thence N 68°57'31" E, a distance of 702.49' to a point; thence leaving the south line of Woodman Road S 15°59'59" E, a distance of 501.87' to a point; thence S 81°05'01" W, a distance of 651.62' to a point; thence S 79°40'32" W, a distance of 335.61' to a point on the east line of Winfrey Road; thence continuing along the east line of Winfrey Road N 12°22'21" E, a distance of 353.12' to the point and place of beginning containing 8.387 acres of land.

The Board of Supervisors accepted the following proffered conditions, dated June 4, 2024, which further regulate the above-described property in addition to all applicable provisions of Chapter 24, Code of Henrico (Zoning Ordinance):

1. **Conceptual Plan.** Development of the Property shall be in general conformance with Exhibit A (see case file) attached hereto entitled "River Mill Townhomes 2 - Conceptual Plan" prepared by Timmons Group, dated May 28, 2024 (which Conceptual 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. **Density.** A maximum of 60 townhome units will be developed on the property.
3. **Sidewalks.** Sidewalk shall be provided along the south side of Woodman Road along the property frontage and connect to the sidewalk constructed with the townhome section to the east and the proposed Fall Line Trail between the two sections. An additional sidewalk connection will be added from the eastern terminus

of Private Road 2 near the powerline easement north to the sidewalk along Woodman Road generally as shown on the Conceptual Plan. Sidewalk shall be provided on both sides of new Private Streets generally as shown on Exhibit B (see case file) attached hereto.

4. **Greenbelts.** A variable width greenbelt buffer meeting the planting requirements of buffer type 25 outlined in Table 5310B of the Zoning Ordinance will be provided along Woodman Road generally as shown on the Conceptual Plan except to the extent necessary for the entrance road, utility easements, multi-use trails, signage, sidewalks, paths, and other purposes requested and specifically permitted, or if required, at the time of subdivision approval and/or Plan of Development, or by any other governmental body. This buffer may be concurrent with the 15' additional RTH setback required per Table 3105 of the Zoning Ordinance and be located partially in common area and partially in the adjacent rear yard setbacks as necessary to fit the required plantings.
5. **10' Buffer Area.** A 10' buffer area will be provided along a portion of the western property line generally as shown on the Conceptual Plan meeting the planting requirements of buffer type 10 outlined in Table 5310B of the Zoning Ordinance or as otherwise approved at the time of subdivision approval and/or Plan of Development.
6. **Underground Utilities.** Except for junction boxes, meters, backflow preventers, pedestals, transformers, transmission mains, relocated and/or existing overhead utility lines or as required for technical or environmental reasons, all new utility lines shall be underground.
7. **Best Management Practice.** Above-ground stormwater basins 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 Plan of Development review. Any permanent wet pond must include an aeration feature and meet the requirements of Sec. 24-4306G.6.
8. **Hours of Construction.** The hours of site work construction shall be between 7:00 a.m. and 7:00 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 and utility connections. For purposes of this proffer, site work is defined as any construction work shown on approved construction plans for the initial construction of roads, utilities, infrastructure and the respective exteriors of structures. Hours shall be posted in both English and Spanish until the roads are accepted by Henrico County for maintenance.
9. **Conservation Areas.** Notwithstanding the uses permitted and regulated by the zoning of the Property, such portion(s) of the Property which lie within a one hundred (100)

year flood plain as determined by definitive engineering studies approved by the Department of Public Works, and/or such portion(s) of the Property which may be inundated by waters impounded to a maximum elevation determined in a controlled, regulated manner by a structure or structures approved by the Department of Public Works, may only be used for the following purposes:

- a. Stormwater management and/or detention/retention areas.
- b. Ponds, lakes and similar areas intended as aesthetic and/or recreational amenities and/or wildlife habitats.
- c. Perpendicular roads & access drives (meeting other applicable standards), utility easements, signage, walkways and recreational facilities installed in a manner to minimize their impacts; and
- d. Such additional uses to the uses identified in (a), (b) and (c) above as may be deemed compatible and of the same general character by the Planning Administrator (Director of Planning) pursuant to Chapters 19 and 24 of the County Code (the "Zoning Ordinance").

The Owner shall, prior to subdivision plat recordation for areas that include such flood plain, apply to rezone such portions of the Property to a C-1 Conservation District.

The location and limits of such portion(s) of said Property shall be established by subdivision plats approved pursuant to the Zoning and/or Subdivision Ordinance.

10. **Protective Covenants.** Prior to or concurrent with the recordation of a subdivision plat approved by the County, 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.
11. **Cantilevering.** There shall be no cantilevered treatment of any architectural features on the first floor. Items on the upper floors such as balconies, decks, bump-outs, box or bay-type windows may be cantilevered, but shall include decorative supports.
12. **Driveways.** All driveways shall be paved with either exposed aggregate, concrete, asphalt, cobblestone, brick, or pre-cast pavers or other similar materials approved by the Director of Planning. No driveways serving individual dwellings, other than driveways for access drives for major project areas, shall have direct access to Woodman Road.
13. **Sod and Irrigation.** Each front and side yard (to the edge of the rear of the home on corner lots adjacent to streets) shall initially be sodded and irrigated, exclusive of mulched flowerbeds and landscaping.

14. **Minimum Sizes.** The minimum finished floor area of each home shall be 1,400 square feet of finished floor area. The minimum lot width shall be twenty (20) feet.
15. **Architectural Treatment.** Homes shall be generally in conformance with Exhibit C (see case file) attached hereto, unless otherwise requested by the owner and specifically approved by the Director of Planning.
16. **Building Materials.** All buildings shall have exposed exterior walls (above grade and exclusive of windows, dormers, gables, doors, trim, soffit and fascia) of stone, stone veneer, brick, fiber cement siding, engineered wood, vinyl (a minimum of 0.042" nominal thickness as evidenced by manufacturer's printed literature) or a combination of the foregoing unless different architectural treatment and/or materials are requested by owner and approved by the Director of Planning. A minimum of fifty percent (50%) of the townhome buildings, in the aggregate, shall have a minimum of fifteen percent (15%) of the front exterior wall surfaces constructed of brick or stone, excluding windows, dormers, gables, doors, trim, soffit, fascia and architectural design features.
17. **Sound Suppression Measures.** Interior walls between homes shall have a minimum sound transmission coefficient rating of 54. A cross-sectional detail, reviewed and approved by a certified architect or engineer as to the methodology to accomplish the sound coefficient rating, shall be included in the building permit application.
18. **Private Roads.** For any private roads on which a dwelling fronts, the applicant shall provide the Planning Department, prior to the issuance of any Certificate of Occupancy, with certification from a licensed engineer that the roadways within the project or phase thereof were constructed according to the approved subdivision plan and Plan of Development, and in compliance with Henrico County road design standards and specifications only as it relates to pavement materials and thicknesses and to include proper compaction of the sub-base soils, utility trenches, base stone, and asphalt surface. Any private roadways shall be maintained by a homeowners' association. The private road section shall be in general conformance with Exhibit B (see case file) attached hereto.
19. **Foundations.** The exposed exterior portions of all foundations below the first floor level shall be finished with brick, stone or cultured stone. On all front elevations there shall be a minimum of twelve inches (12") of brick, stone or cultured stone visible above grade. On all side and rear 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.
20. **Garages.** Each home shall include a minimum of a one (1) car garage. All garage doors that do not face an alley shall have, at a minimum, one architectural detail

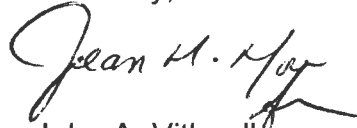
including, but not limited to, windows, carriage door handles, exposed hinges or accent columns.

21. **Trash.** There shall be no central trash or recycling receptacles.
22. **Marketing.** All homes shall be initially marketed for sale as "Owner-occupied".
23. **Foundation Plantings.** The front corners of buildings shall be visually softened with a vertical accent shrub, and foundation beds shall turn and continue 4' down the side of a building on a street facing side facade.
24. **Street Trees.** A minimum of one (1) street tree will be provided between each string of front-loaded townhouse units and on either side of provided off-street parking areas generally as shown on the Conceptual Plan and where not otherwise prohibited by required utilities, drainage structures, easements, intersection sight distance or other conflicts. Sufficient trees shall be provided to meet the tree canopy requirements of the zoning ordinance no later than at the time of landscape plan approval.
25. **Entrance Feature.** The entrance will include columns with stone veneer, a white rail fence and additional landscaping on either side to provide an entrance feature for the development generally as shown on the Conceptual Plan.
26. **Exterior Lighting.** All townhomes shall have a decorative light at the entrance door. Townhomes with front-loading garages shall have a decorative light over the garage door.
27. **Amenity Area.** A small amenity area will be provided in proximity to the BMP. A minimum of two (2) of the following improvements will be provided: a play area/playground equipment, outdoor game area, benches, landscape patio area, grilling station, raised garden beds, pet station, outdoor exercise equipment or other similar improvements.
28. **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.

Winfrey Road LLC
September 17, 2024
Page 6

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. Vithoulikas". The signature is fluid and cursive, with a prominent initial "J" and a long, sweeping underline.

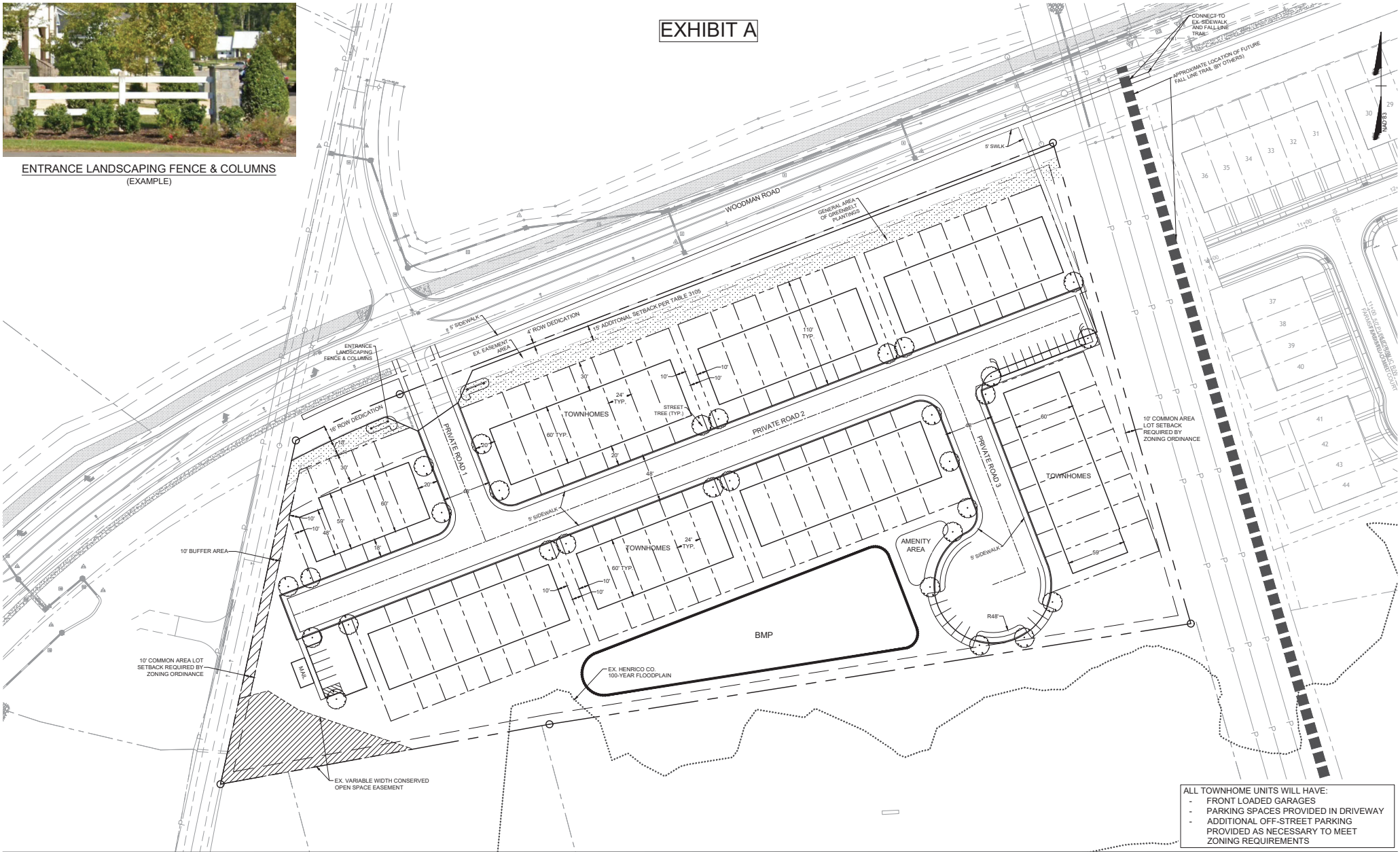
John A. Vithoulikas
County Manager

pc: Jeffrey P. Geiger
Henrico County Public Schools
Director, Real Estate Assessment



ENTRANCE LANDSCAPING FENCE & COLUMNS
(EXAMPLE)

EXHIBIT A



- ALL TOWNHOME UNITS WILL HAVE:
- FRONT LOADED GARAGES
 - PARKING SPACES PROVIDED IN DRIVEWAY
 - ADDITIONAL OFF-STREET PARKING PROVIDED AS NECESSARY TO MEET ZONING REQUIREMENTS

RIVER MILL TOWNHOMES 2 - CONCEPTUAL PLAN

MAY 28, 2024

REZ-2024-100572

SCALE 1"=40'



WINFREY ROAD LLC PARCEL REZONING
PROPOSED PRIVATE ROAD SECTION (NO ON STREET PARKING)
NOT TO SCALE

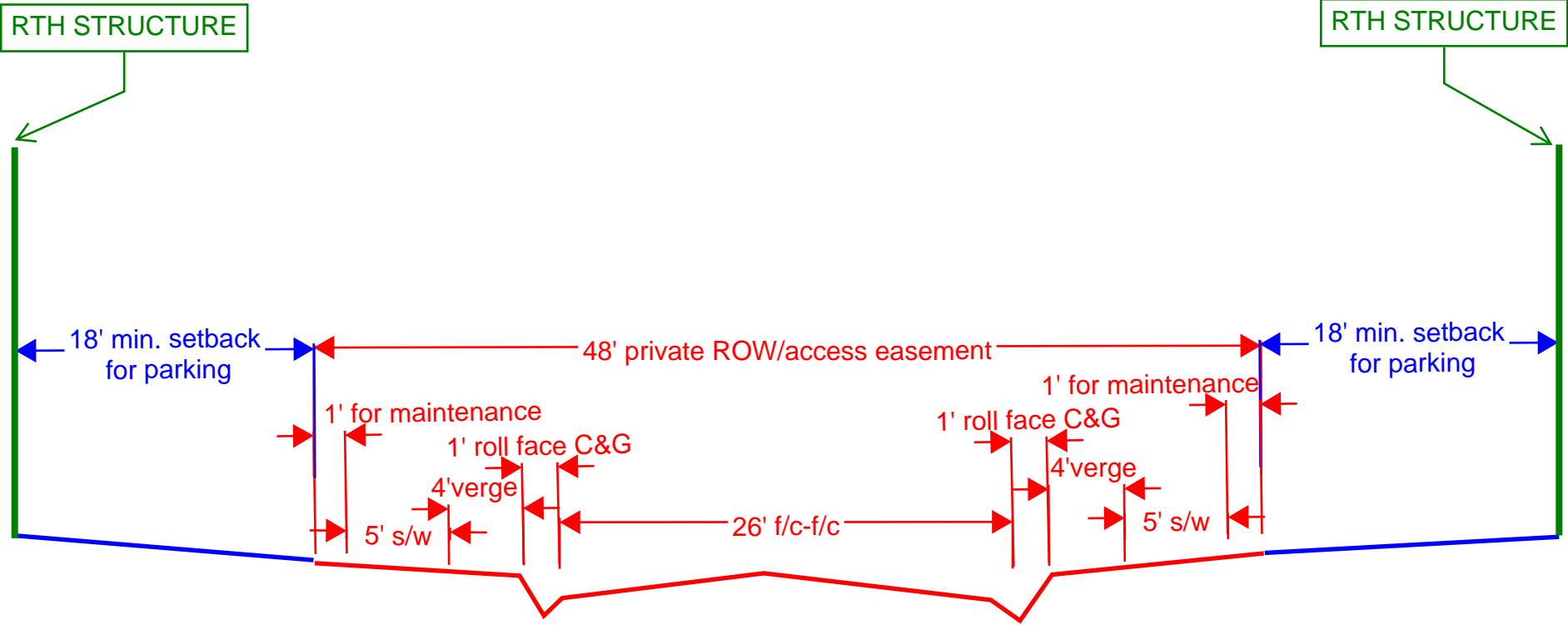


EXHIBIT B

REZ-2024-100572



EXHIBIT C
1 of 6

REZ2024-100572



EXHIBIT C
2 of 6

REZ2024-100572



EXHIBIT C
3 of 6

REZ2024-100572



EXHIBIT C
4 of 6

REZ2024-100572



EXHIBIT C
5 of 6

REZ2024-100572



EXHIBIT C
6 of 6

REZ2024-100572