

B-2C to RTHC  
22.985 Ac.

PT. OF 9-A-19C,20,24 & 25

THREE CHOPT DISTRICT

TOWN HOUSES AND/OR CONDOMINIUMS

**C-29C-96**



HENRICO COUNTY PLANNING OFFICE



COMMONWEALTH OF VIRGINIA  
**COUNTY OF HENRICO**

VIRGIL R. HAZELETT, P.E.  
County Manager

June 19, 1996

Re: Conditional Rezoning Case C-29C-96

Mr. Daniel T. Schmitt  
Loch Levan Land Limited Partnership  
100 Concourse Blvd., Ste. 100  
Glen Allen, Virginia 23060

Dear Mr. Schmitt:

The Board of Supervisors at its meeting on June 12, 1996, granted your request to conditionally rezone property from B-2C Business District (Conditional) to RTHC Residential Townhouse District (Conditional), Part of Parcel 9-A-19C, Parcels 9-A-20, 24 and 25, described as follows:

Beginning at a point on the northern right-of-way line of Nuckols Road at its intersection with the western right-of-way line of Wyndham Park Drive being the point of beginning; thence along a curve to the left having a radius of 1370.55' for a length of 672.26' to a point; thence S. 51° 14' 00" W., 108.58' to a point; thence S. 39° 43' 45" W., 241.99' to a point; thence S. 84° 43' 36" W., 40.30' to a point; thence N. 50° 16' 15" W., 259.77' to a point; thence along a curve to the left having a radius of 2003.75' for a length of 100.10' to a point; thence along a curve to the right having a radius of 2001.25' for a length of 99.98' to a point; thence N. 50° 16' 15" W., 40.23' to a point; thence along a curve to the right having a radius of 856.84' for a length of 416.97' to a point; thence N. 90° 00' 00" E., 257.65' to a point; thence N. 00° 00' 00" W., 250.00' to a point; thence N. 90° 00' 00" E., 400.00' to a point; thence N. 00° 00' 00" W., 300.00' to a point; thence N. 90° 00' 00" E., 150.00' to a point; thence S. 45° 00' 00" E., 196.03' to a point; thence N. 40° 49' 00" E., 296.89' to a point; thence along a curve to the right having a radius of 1058.44' for a length of 68.01' to a point; thence along a curve to the right having a radius of 1058.15' for a length of 538.34' to a point; thence S. 13° 25' 00" E., 90.76' to a point; thence along a curve to the right having a radius of 1048.65' for a length of 110.38' to a point; thence S. 10° 56' 00" E., 45.71' to a point; thence S. 31° 55' 31" W., 38.79' to the point of beginning, containing 22.985 acres.

The Board of Supervisors accepted the following proffered conditions which further regulate the above described property in addition to all applicable provisions of Chapter 22, Code of Henrico (Zoning Ordinance):

1. **Greenbelt.** Greenbelts for landscaping, natural open areas and scenic vistas will be provided thirty (30) feet in width adjacent to the right-of-way line of Nuckols Road and twenty-five (25) feet in width adjacent to the right-of-way line of

Proposed Wyndham Lake Drive and Wyndham Park Drive, except to the extent necessary for utility easements, bicycle paths, jogging trails, signage, sidewalks, access driveways for major project areas and other purposes requested and specifically permitted, or if required by, the Planning Commission at the time of subdivision approval and/or Plan of Development review, or by any other governmental body.

2. Pedestrian and Bicycle Access. Pedestrian and bicycle access ways will be provided within and between major project areas at the time of subdivision or plan of development approval.
3. Foundations. The exposed exterior portions of exterior residence foundations shall be constructed of brick or natural stone; however, the exposed exterior portions of exterior residence foundations may be constructed of drivit if applied to a masonry surface, provided that the exterior walls of such residence are sided primarily in drivit.
4. Overall Density Limitation. The number of residential units constructed on the Property shall apply against and be governed by the overall density limitation set forth in Proffer No. 14 of Case No. C-29C-89.
5. Phasing Plan. The number of residential units constructed on the Property shall apply against and be governed by the phasing limitations set forth in Proffer No. 15 of Case No. C-29C-89.
6. Protective Covenants. Prior to or concurrent with the conveyance of any portion of the Property covered by a subdivision plat or plan of development approved by the County (other than for the dedication of easements, roads or utilities), there shall be recorded a document 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.
7. 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.
8. Road Dedications. No building permit for the construction of buildings on the Property shall be obtained until plans for the construction of Wyndham Lake Drive along the western edge of the property from millstone Landing Drive to Nuckols Road are approved by the appropriate governmental body having jurisdiction with respect thereto and, if required by the County, a completion bond is posted with Henrico County Department of Public Works guaranteeing the completion of four lanes of such road within two years of the posting of said bond.

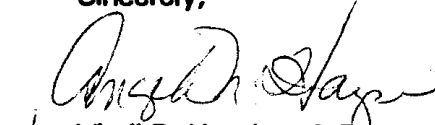
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3

9. Driveways. No access driveways serving individual dwellings, other than driveways for access drives for major project areas, shall have direct access to Wyndham Park Drive, Wyndham Lake Drive or Nuckols Road.

The Planning Office has been advised of the action of the Board of Supervisors and will revise its records and place a copy of the accepted proffered conditions in the Conditional Zoning Index.

Sincerely,

  
for Virgil R. Hazelett, P.E.,  
County Manager

cc: Director, Real Estate Assessment  
Conditional Zoning Index  
Messrs. James W. Theobald & Charles H. Rothenberg, Esquires