Hanover County, Virginia

Land Use Map

Legend

- Agricultural
- Rural Village
- Suburban Transitional
- Suburban General
- Suburban High
- Multi-Family
- Commercial
- Multi-Use
- Mixed-Use (LC/HR)
- Mixed-Use (HC/LR)
- Business-Industrial
- Industrial
- Limited Industrial
- Planned Business
- Destination Commerce
- Flood Plain

C-14-14

Scotchtown Partners, L.L.C.

Rezone A-1 to B-3, RS & RM

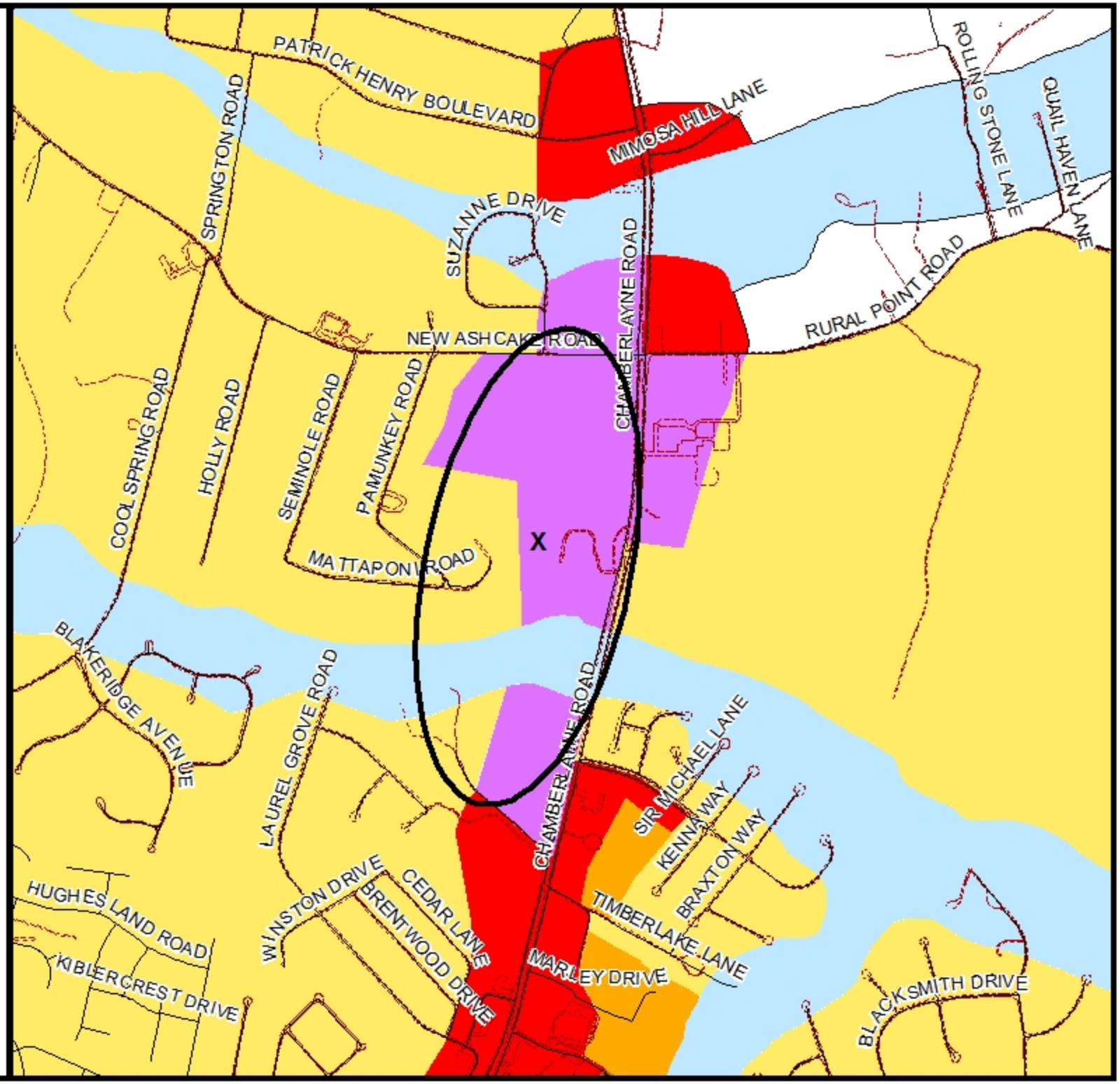
Suburban General and Multi-Use Land Use

GPIN's: 8707-61-6614, et al.

Chickahominy Magisterial District

1 inch = 1,200 feet

August 05, 2014



Hanover County, Virginia

General Parcel Map

Legend

- Roads
- Water
- Trees
- Private Road
- Structures
- Parcels

C-14-14

Scotchtown Partners, L.L.C.

Rezone A-1 to B-3, RS & RM

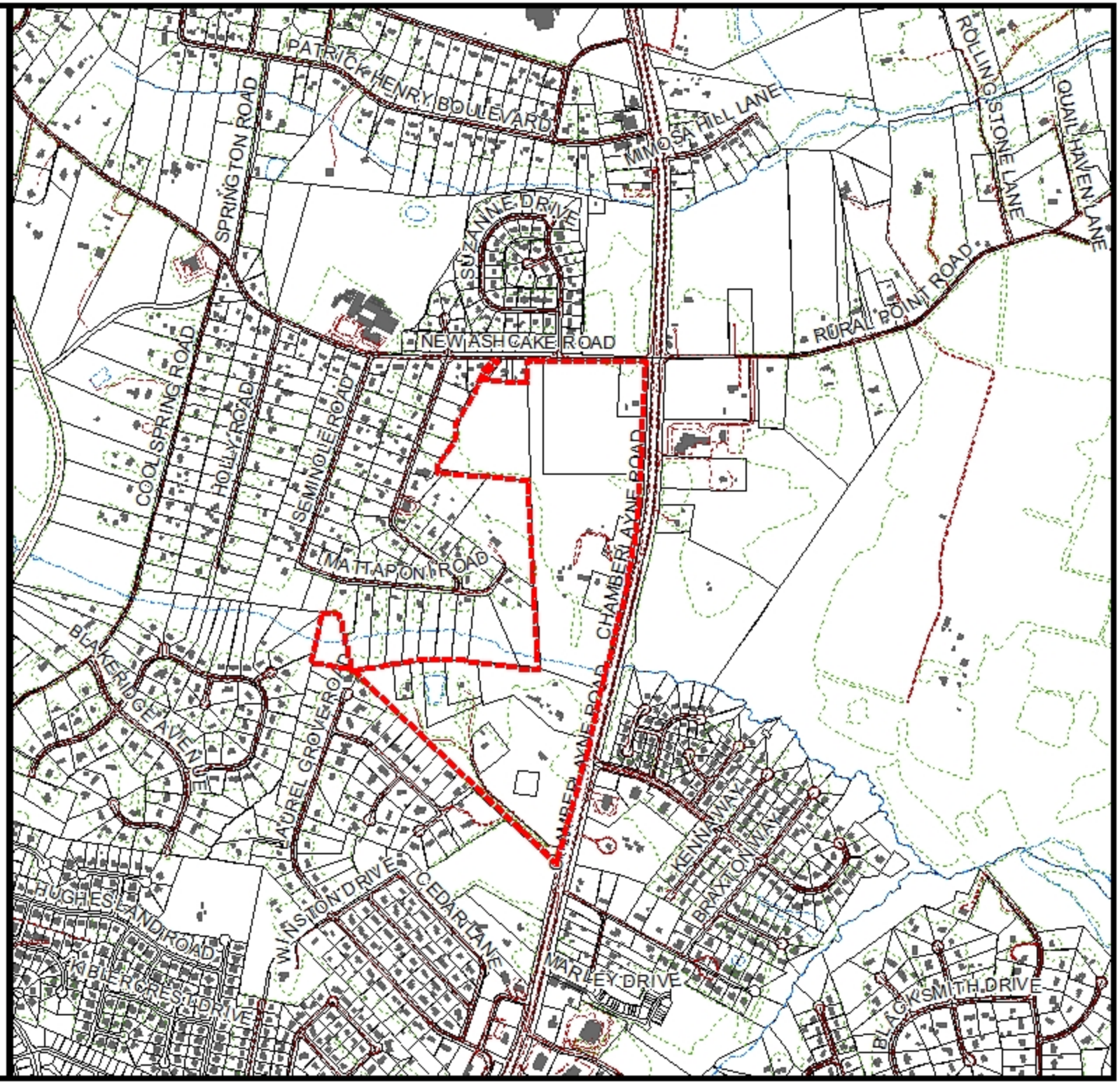
Zoned A-1

GPIN's: 8707-61-6614, et al.

Chickahominy Magisterial District

1 inch = 1,200 feet

August 05, 2014



Hanover County, Virginia

Zoning Map

Legend

c_14_14	R-3
Roads	R-4
Water	R-5
Private Road	R-6
Parcels	RM
CUP	MX
A-1	B-1
AR-1	B-2
AR-2	B-3
AR-6	O-S
RC	B-O
RS	M-1
R-1	M-2
R-2	M-3

C-14-14

Scotchtown Partners, L.L.C.

Rezone A-1 to B-3, RS & RM

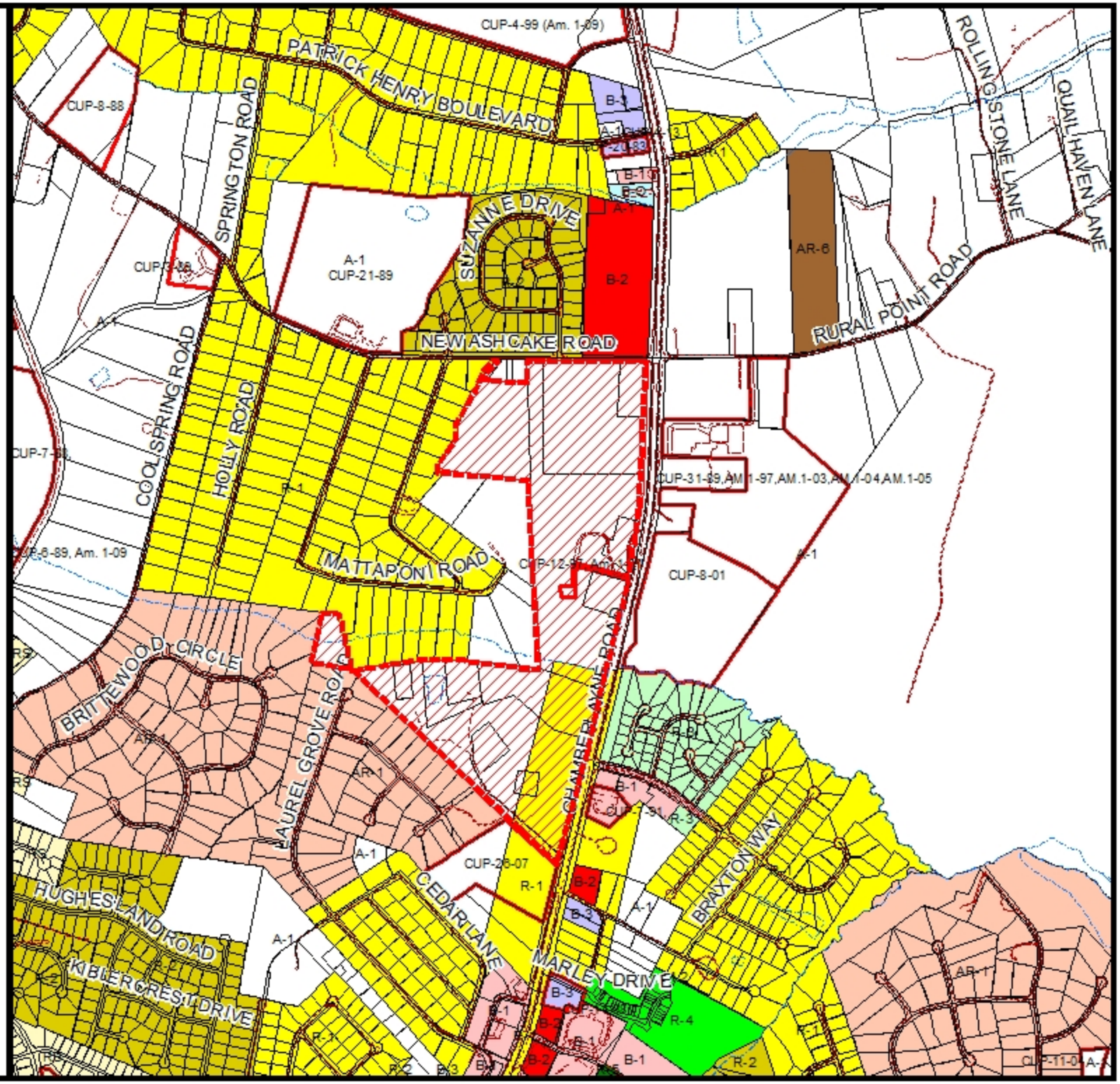
Zoned A-1

GPIN's: 8707-61-6614, et al.

Chickahominy Magisterial District

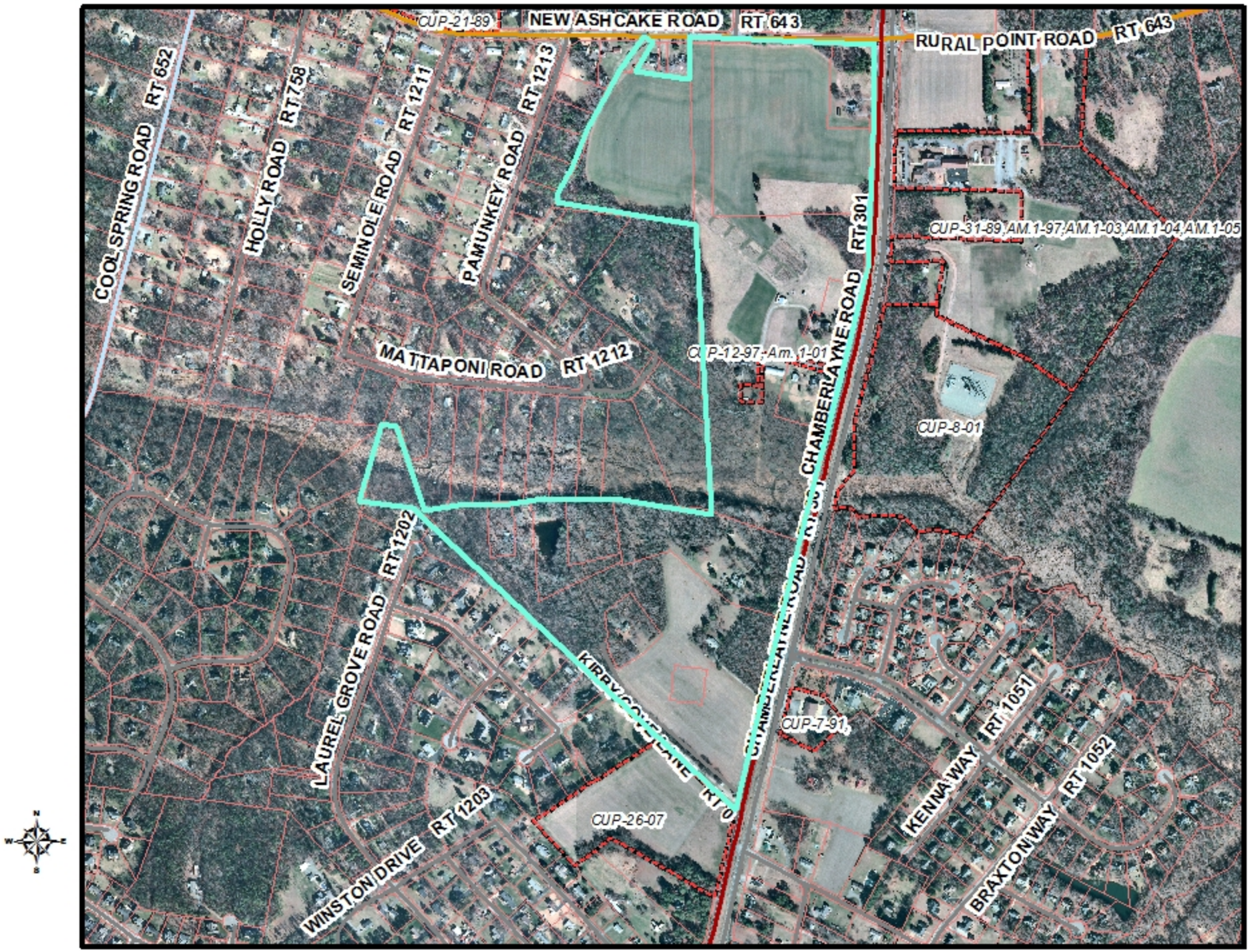
1 inch = 1,200 feet

August 05, 2014



C-14-14 Scotchtown Partners, L.L.C.

2013 Aerial



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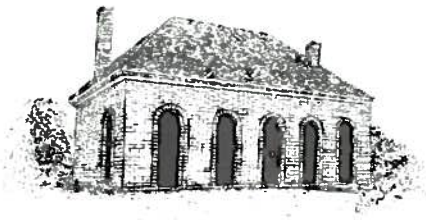

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PLANNING DEPARTMENT

DAVID P. MALONEY, AICP
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DEPUTY DIRECTOR OF PLANNING

J. KEITH THOMPSON
PRINCIPAL PLANNER

LEE W. GARMAN, AICP
PRINCIPAL PLANNER

MARY B. PENNOCK
PRINCIPAL PLANNER

P. O. BOX 470
HANOVER, VIRGINIA 23069

PHONE 804-365-6171
FAX: 804-365-6232

MEMORANDUM

TO: Members of the Hanover County Planning Commission

FROM: David P. Maloney, AICP
Director of Planning

DATE: June 11, 2015

RE: Update on C-14-14(c), Scotchtown Partners, L.L.C.

At the Commission's meeting on May 21, 2015, the referenced request was deferred for 30 days to allow the applicant time to address the Commission's and staff comments.

At the May meeting, staff identified several issues that needed to be addressed by the applicant to comply not only with the individual zoning district and preliminary plat requirements, but with the recommendations outlined in the Comprehensive Plan for areas designated for Multi-Use. The main issues included:

1. RM and RS District requirements were not demonstrated on the master plan;
2. Preliminary plat requirements for the RS and RM townhome area were not demonstrated on the plan;
3. A question was raised regarding the adequacy of the connectivity feature (the pedestrian trail) proposed for the subject master planned community considering most of the project is north of a 120' Dominion Virginia Power easement for major transmission lines, which in this area also includes the bed of Totopotomoy Creek, while a portion of the proposed project is south of these physical features;
4. While the residential development has been located to serve as a transition from existing residential development to the proposed commercial or multi-family uses, the proposed densities of those areas are not compatible with adjacent existing residential uses.
5. With a recently resubmitted TIA at the time of the meeting, staff had not agreed that the recommended roadway improvements were adequate and that no further transportation improvements were needed. Staff continued to recommend the addition of a left out at the Cruz Boulevard/Route 301 intersection;

6. With the primary purpose of the Multi-Use land use designation being commercial development, the applicant had not provided a satisfactory phasing plan that develops sufficient commercial square footage as a basis for the supporting residential development;
7. A contribution for road improvements proffer in accordance with the County's Business and Residential Development Road Improvements Transportation Policy was not provided. The applicant was seeking credits staff could not recommend.

Update on Resubmittals Received After the Planning Commission Meeting of May 21, 2015

Master Plan

A revised master plan set for Caldwell Park (project name subsequent to the May Planning Commission meeting) was submitted on June 4, 2015. Staff has reviewed these plans and they appear to meet the RS, Single Family District requirements, and the RM, Multi-family District, requirements for the townhouses.

The RM, Multi-Family District with regard to the proposed apartments will be subject to site plan review since that portion of the property will not be subdivided. It appears from the plan notes that this sheet meets the RM District requirements. Staff's only comment that should be addressed is that the open space area be depicted on the plan so that all areas being counted are easily recognized. Currently, certain active recreation features show acreage, but those areas total 0.62 acres, while the notes indicate 1.12 acres are provided. That inconsistency needs to be corrected. It appears that Cruz Boulevard will be the only public street within this area of the community, and that the rest of the RM District will be developed as parking lots with circulation to all structures. The parking lots will be required to be landscaped and designed in accordance with Article 5, Division 4, of the Zoning Ordinance.

The sheets showing the B-3 development of the project now show more details, including the square footage and proposed use of each structure, parking requirements, optional patios, entrance improvements, interior private roadways, setbacks, traffic improvements, crosswalks and roundabout details. Sheet 10A has been added to show the roadway improvements along New Ashcake Road and at its intersection with Route 301 at a scale that is more legible.

The improvements shown on the plan set are those enumerated in the applicant's traffic impact analysis. Staff is generally in agreement with these improvements, but notes that it still recommends a left out at the Cruz Boulevard intersection with Route 301. While not eliminating all northbound traffic from New Ashcake Road, direct access to northbound Route 301 from Cruz Boulevard would *reduce* traffic on New Ashcake Road. In addition, because of the weave movements created within the two receiving lanes on New Ashcake Road from the two northbound left turn lanes from Route 301, an additional receiving lane on New Ashcake Road will be required so that a dedicated left turn lane into the site is created. VDOT is reviewing the proposed traffic improvements along New Ashcake Road and expects recommended changes are forthcoming. VDOT's Central Office is currently reviewing these plans.

Staff notes that the recent master plan set submittal is not complete, but provides the sheets and notes where changes were made. All vignettes and elevations provided last month are unchanged, so were not provided in the updated set. They will be required for the final master plan submitted for the Board of Supervisors' review.

A Single Master Planned Community

Staff reiterates that a Multi-Use master planned community must be integrally connected both physically and functionally. The proposed development is split by Totopotomoy Creek and a 120' Dominion Virginia Power easement. The RS single family residential district and almost 6 acres of commercial area are south of those features, which include major transmission lines.

The applicants show on the master plan a pedestrian path at the edge of the Route 301 right-of-way. The plan shows outside of the guardrail for southbound Route 301, an 8' asphalt trail with 6' of that within a proposed public utility easement and approximately 2' extending into the adjacent 6' shoulder that also includes a 50" tall equestrian fence just inside of the fill slope. The proffers indicate that this fence will including lighting on every third post and that two benches will be provided in this area. They also proffer that if the developers get permission from Dominion Virginia Power to build a footbridge, the bridge will be done per the proffered specifications instead of the asphalt trail.

One of the first considerations on this request should be for the Planning Commission and the Board of Supervisors to determine whether this project should be considered a single master planned Multi-Use community based on this asphalt trail connection along edge of the Route 301 right-off-way.

Comprehensive Plan

The subject property is designated on the General Land Use Plan as "*Multi-Use*". Per Section 2 of the Hanover County Comprehensive Plan, the Multi-Use land use designation is intended to provide opportunities for the development of business parks, professional offices, limited industrial, and retail uses. These uses may be supplemented by the inclusion of a variety of residential uses at various densities, but residential development is not required for compliance with the land use designation. The plan further suggests that the ratio of non-residential land to residential land use shall not be less than 35 percent to 65 percent respectively.

The land use policies contained in the Comprehensive Plan also state that project phasing be undertaken in a manner that ensures the primary emphasis of the designation is for business and professional uses. Accordingly, the plan states that "residential development shall not disproportionately precede business or professional development within a project".

Staff has recommended the following phasing of this project to ensure that the Multi-Use land use policies are achieved:

Phasing Plan. Development shall occur in accordance with the following phasing plan:

Phasing Plan

	Residential Units	B-3 Square Footage
Phase 1	286	80,000 prior to Phase 2
Phase 2	131	44,800

In response, the applicants have provided the following proffer:

> Phasing. Certificates of occupancy for no more than fifty percent (50%) of the lots in the RS Area and certificates of occupancy for no more than fifty percent (50%) of the lots in the TH Area shall be issued prior to the commencement of construction on at least 80,000 square feet of building floor area (in the aggregate) in either the Business Area or the Neighborhood Business Area, or both.

The applicants have indicated that they want to divide the property after zoning so that the area designated for the RM apartments may move forward. The way the applicant's phasing proffer is constructed would allow the 286 apartments to be constructed, followed by 122 single-family homes and townhomes *before* construction commences on 80,000 square feet of commercial development. That allows 408 of the total 532 housing units to be constructed, or 77% of the residential development, prior to commencement of the construction of any of the commercial development. Clearly, this is not project phasing that *ensures the primary emphasis is for business and professional uses.* Therefore, staff does not recommend acceptance of the applicant's phasing proffer.

Transportation and Road Improvements Proffers

The applicants have provided proffers that state that the applicant will construct all of the roadway improvements that were recommended by the TIA. Staff recommends that these proffers be accepted, with the following exceptions:

1. *Contribution for Road Improvements.* The applicants and staff are in agreement regarding the calculation of the amounts being proffered for road improvement. However, the proffer also seeks a credit in the amount of $306,000 for the construction of a second left turn lane from northbound Route 301 to New Ashcake Road with 250 feet of storage and with 200 feet of taper. The applicant is seeking the credit because their traffic engineer indicates that the second left turn lane is not needed at buildout nor is it required to accommodate the site traffic as that movement maintains a LOS D. He indicates that the growth of existing traffic from 2020 to 2026 drives the potential need for the second northbound left turn lane in 2026. That opinion is based on a finding that 75% of the grown is from existing traffic; however, the remainder of traffic growth is from this project.

   The case for receiving credits for providing a roadway improvement that is not required is not valid. The Business and Residential Development Road Improvements Transportation Policy does not support credits for this improvement as it is not part of an identified project for which credits may be given.

2. *Proffer 7.b(iii)* provides for the design and installation of a traffic signal, if and when warranted by VDOT within five years after the issuance of the first Certificate of Occupancy for the project.

   Staff notes that the TIA contemplates a 20-year horizon, and that such improvements are typically given a 20-year window within which to achieve VDOT signal warrants. Therefore, staff recommends this proffer be revised to state, "... and installation of a traffic signal, if and

when warranted by VDOT within 20 years after the issuance of the first Certificate of Occupancy for the project.

3. *Cruz Boulevard entrance at Route 301.* As noted previously, staff has been recommending that this entrance also include a left out, so that some traffic relief is provided to New Ashcake Road by providing another point of egress for traffic going northbound on Route 301. Should the Planning Commission and Board agree, an additional proffer should be provided to state that the developer will construct this improvement.

As discussed previously, VDOT was provided a copy of Sheet 10A of the master plan, which shows the proposed improvements to the intersection of Route 301 and New Ashcake Road and the improvement to New Ashcake Road along the project frontage on that roadway. VDOT has informed staff that they do have concerns about the improvements shown for New Ashcake Road and will likely require changes. Sheet 10A has been sent to VDOT's Central office, but a response is not expected for a week to ten days of the date of this report. VDOT expects to have its comments on this roadway design completed by the week of June 22nd. Staff will work with VDOT and the applicant to incorporate any required changes prior to the Board of Supervisors meeting. All roadway improvements to New Ashcake Road and Route 301 must be designed and constructed in accordance with VDOT standards and specifications, and subdivision and site plans require VDOT review and approval.

Other Proffer Recommendations

The applicant has included exception language in Proffer No. 4 that is not acceptable. Staff recommends that this proffer read as follows:

4. Hours of Construction. The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall only 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 or utility connections that cannot be interrupted~~ as provided in Section 16-4 of the Hanover County Code. There shall be no exterior construction activities on Sunday. Signs, in both English and Spanish, stating the above-~~referenced~~stated provisions shall be posted and maintained at all entrances to the portion(s) of the Property under construction prior to any land disturbance activities thereon.

Staff Recommendation

DENIAL as submitted, but **APPROVAL** subject to changes to the master conceptual plan set and proffers as outlined in staff's June 11, 2015 Update Memorandum.

/cdc
Att. 1) Revised Proffers submitted June 5, 2015
2) Master Plan for Caldwell Park revised June 6, 2015

CASE NO C-14-14
FIFTH AMENDED AND RESTATED PROFFERED CONDITIONS

The undersigned owners of parcels designated GPINs 8707-61-6614, 8707-61-2365, 8707-60-1621, 8707-51-3243, 8706-69-3782, 8707-51-3841, 8707-60-5237, 8706-58-8910, 8706-58-5695, 8706-58-6162, 8706-48-8991, 8706-58-3434, 8706-59-0093, and 8707-51-6800 (the "Property"), voluntarily agree for themselves, agents, personal representatives, successors and assigns (collectively "the Property Owner") that, in the event the Property is rezoned from A-1 to RS, RM and B-3, the development and use of the Property shall be subject to the conditions listed below. As used herein, "SF Area" shall mean the portion of the Property zoned RS, "TH Area" shall mean the portion of the Property zoned RM and designed on the Conceptual Plan (defined below) as "RM (Towns)", "MF Area" shall mean the portion of the Property zoned RM and designated on the Conceptual Plan as "RM (Multi)", "Neighborhood Business Area" shall mean the portion of the Property zoned B-3 directly across from Crown Colony Parkway and immediately adjacent to the RS Area, and "Business Area" shall mean the portion of the Property zoned B-3 and bounded by Route 301, New Ashcake Road, the TH Area and the MF Area.

APPLICABLE TO ALL

1. Protective Covenants. Prior to or concurrent with the final approval of the initial site plan and/or subdivision for any individual tract, a document setting forth covenants (the "Covenants") shall be recorded in the Clerk's Office of the Circuit Court of Hanover County, Virginia (the "County") setting forth controls on the development and maintenance of such tract and establishing an owners' association (the "Association"). A master Association may be established for the SF Area, the TH Area, the MF Area, the Neighborhood Business Area, and/or the Business Area, provided a separate Association may, but shall not be required to, be applicable to any particular tract or combination of tracts. The Covenants shall provide for high standards of uniform maintenance (consistent with commercial "Class A" and high end residential projects) of individual sites, common areas, open space, landscaping and private streets. The Association shall establish uniform rules related to the standards for approval by the Association of improvements within a particular tract, including, but not limited to, construction of any buildings and other structures and signage, provided, however, final approval of all building permits will be completed by the Planning Department for conformity with the elevations submitted with this application.

2. Historic Resources. Prior to application for a demolition permit for any historic structures, the Property Owner shall advertise in a regional newspaper for two successive weeks a free offering of the historic structures for movement to another site. If there are no respondents, the Property Owner shall allow any historic architectural features or materials in the structures to be properly salvaged. Prior to any demolition or removal of materials, the Owner shall allow County staff to enter the structures for the purposes of photographic documentation for placement in the Historic Commission's files for a record of 10019 and 10077 Chamberlayne Road.

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3. Pedestrian Wetland Crossing. The Property Owner shall construct a pedestrian crossing connecting the RS Area and the Neighborhood Business Area to the MF Area along Route 301 (the "Pedestrian Connection") consisting of an 8 foot wide asphalt path with a fence to match the fencing used along the exterior of the project, as generally shown on sheet 9 of the plans titled "Conceptual Plan – RM Multi-Family, Caldwell Park Chickahominy District Hanover County Virginia", dated August 4, 2014, last revised June 4, 2015 and shall also include two (2) wooden benches and lighting fixtures on every third post of the fence. The Pedestrian Connection shall be a subdivision improvement bonded with the first section in the subdivision plat for the RS Area. If, prior to the County's construction plan approval for the Pedestrian Connection, Dominion Virginia Power approves the installation of an alternative design for the Pedestrian Connection consisting of a structure made of wooden, framed pedestrian walkway, with the walkway no more than three feet above ground level, across Dominion Virginia Power's 120 foot wide easement separating the RS Area and the Neighborhood Business Area from the MF Area, then the Property Owner will construct the Pedestrian Connection in accordance with Dominion Virginia Power's approval for such structure, and such structure shall become the subdivision improvement bonded with the first section in the subdivision plat for the RS Area.

4. Hours of Construction. The hours of exterior construction, including operation of bulldozers and other earthmoving equipment, shall only 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 or utility connections that cannot be interrupted. There shall be no exterior construction activities on Sunday. Signs, in both English and Spanish, stating the above-referenced provisions shall be posted and maintained at all entrances to the portion(s) of the Property under construction prior to any land disturbance activities thereon.

5. Contribution for Road Improvements. The Property Owner, for itself, and its successors and assigns, agrees to pay Hanover County prior to issuance of a Certificate of Occupancy, the amount of Five Thousand Seven Hundred Nine and 56/100 Dollars ($5,709.56) per single family detached unit, Three Thousand Four Hundred Eighty-Five and 01/100 Dollars ($3,485.01) per single family attached unit, and Four Thousand Eighty-Six and 73/100 Dollars ($4,086.73) per multi-family unit, built on the rezoned Property. The funds shall be used for the purpose of completing off-site road improvements relating to the development allowed by the rezoning and included in the Business and Residential Development Road Improvements Transportation Policy, adopted March 13, 2013. In the event funds are paid and are not used for such improvements, the County shall return the funds paid to the Property Owner or his successors in title within in the timeframe required by Virginia Code Section 15.2-2303.2. The Property Owner shall receive a credit in the amount of $306,000 for the construction of the improvement specified in Section 7.d.iii below. This credit will become available after the completion of the improvement specified in Section 7.d.iii below and shall be applied to the payment of the funds required by this Section thereafter and if a balance remains after all the funds required by this Section have been paid then

the County shall reimburse the Property Owner of the Business Area the amount of the remaining balance of the credit.

6. Right-of-Way Dedication. The Property Owner agrees to dedicate sixty (60) feet of right-of-way from the centerline of Chamberlayne Road (U.S. Route 301) and fifty (50) feet of right-of-way from the centerline of New Ashcake Road (State Route 643) for future widening, free of cost, upon request of the County or VDOT.

7. Transportation Improvements. To provide for an adequate roadway system, the Property Owner shall be responsible for the road improvements listed below in accordance with the timing specified below:

   a. Prior to the issuance of the first Certificate of Occupancy issued for either the TH Area or the MF Area, the following: (i) at the Route 301/Full-In/Right-Out only site entrance, a southbound right turn lane with 200 feet of storage and with 200 feet of taper, and an extension of the existing northbound left turn lane with 100 feet of storage to provide a total of 200 feet of storage with 200 feet of taper; and (ii) at the second site entrance along New Ashcake Road across from Georgie Drive a left turn lane into the site with 100 feet of storage and with 100 feet of taper and a left turn lane into Georgie Drive with 100 feet of storage and with 100 feet of taper into Georgie Drive.

   b. Prior to the issuance of the first Certificate of Occupancy issued for either the RS Area or the Neighborhood Business Area, the following at the full movement entrance onto U.S. Route 301 across from Crown Colony Parkway: (i) a southbound right turn lane with 200 feet of storage and with 200 feet of taper, (ii) an extension of the existing northbound left turn lane with 100 feet of storage to provide a total of 200 feet of storage with 200 feet of taper, and (iii) the design and installation of a traffic signal, if and when warranted by VDOT within five years after the issuance of the first Certificate of Occupancy for the project.

   c. Prior to the issuance of the first Certificate of Occupancy issued for the RS Area, a southbound right turn lane with 200 feet of storage and with 200 feet of taper at the right-in/right-out onto Route 301 only entrance located on the southern end of the RS Area.

   d. Prior to the issuance of the first Certificate of Occupancy issued for the Business Area, the following:

      i. At the right-in/right-out entrance onto Route 301 from the Business Area, a southbound right turn lane with 200 feet of storage and with 200 feet of taper;

      ii. Widening of New Ashcake Road from the intersection with Route 301 to the New Ashcake Road/Georgie Drive/Site Entrance intersection to accommodate the following: (i) two westbound through lanes (one lane would drop as a left turn lane into the site at the first site entrance along New Ashcake Road), and (ii) an exclusive eastbound left turn lane with

100 feet of storage and with 100 feet of taper at the Route 301 intersection.

iii. A second left turn lane from northbound Route 301 to New Ashcake Road with 250 feet of storage and with 200 feet of taper.

8. Phasing. Certificates of occupancy for no more than fifty percent (50%) of the lots in the RS Area and certificates of occupancy for no more than fifty percent (50%) of the lots in the TH Area shall be issued prior to the commencement of construction on at least 80,000 square feet of building floor area (in the aggregate) in either the Business Area or the Neighborhood Business Area, or both.

9. Adjacent Parcel. The project shall provide internal connections only to the parcel of land identified as GPIN 8707-51-3243 in the event such land is added to the project.

APPLICABLE TO B-3 ZONED PROPERTY

10. Conceptual Plan. The Business Area and the Neighborhood Business Area shall be developed in substantial conformity with the conceptual plan attached titled "Conceptual Plan, Caldwell Park Chickahominy District Hanover County Virginia", sheet 3, prepared by Bowman Consulting, dated August 4, 2014, last revised June 4, 2015 (the "Conceptual Plan"), provided that the Property Owner may adjust road and lot lines, and other engineering detail subject to the approval of the Planning Director, which adjustments are necessary to effectively design the Property based on final engineering. The building layouts and footprints for the Neighborhood Business Area and the outparcels along Route 301 and the 4 office buildings behind and west of the anchor building within the Business Area are conceptual in nature and may vary in detail.

11. Architecture.

a. Generally. The Business Area and the Neighborhood Business Area shall be developed with a unified and complementary color and architectural theme. The conformity requirements contained in these architecture requirements shall not prohibit retail tenants, office tenants and owners of outparcels or office buildings from include prototypical or corporate identification architectural elements in the design of their building or space. The standard of compatibility may be met through scale, materials, forms, and/or colors and with designs that meet the following general standards: elevations of proposed structures, including proposed materials, shall be submitted to the Planning Director for review and approval prior to final approval of site plan; adjacent facades will be compatible with each other with architectural features being continued whenever they can be observed by the public from within the project or from public roads and adjacent properties, and architectural features, such as setbacks, changes in building materials, and canopies, or differences in roof height will be used to add visual interest.

b. New Ashcake Retail. The three retail buildings adjacent to New Ashcake Road, and shown on sheet 21 (Streetscape Elevations – New Ashcake Road View) of the

plans titled "Route 301 MUv32 Chickahominy District Hanover County Virginia", prepared by Bowman Consulting, dated August 4, 2014, last revised April 30, 2015, shall be constructed in substantial conformance with the elevations shown on sheets 16 (Vignette-2), 21 (Streetscape Elevations – New Ashcake Road View) and 22 (Streetscape Elevations – Interior View) of the plans titled "Route 301 MUv32 Chickahominy District Hanover County Virginia", prepared by Bowman Consulting, dated August 4, 2014, last revised April 30, 2015.

c. Quad-Cluster of Buildings. The quad-cluster of buildings located within the Business Area between the anchor building and the MF Area shall be constructed in substantial conformance with the elevations shown on sheet 19 of the plans titled "Commercial Streetscape Route 301 MUv32 Chickahominy District Hanover County Virginia", prepared by Bowman Consulting, dated August 4, 2014, last revised April 30, 2015, depending on whether constructed as a one-story or two-story building.

d. Anchor Building. The anchor building within the Business Area shall be constructed in substantial conformance with the elevations shown on sheet 17 of the plans titled "Vignette-3 Route 301 MUv32 Chickahominy District Hanover County Virginia", prepared by Bowman Consulting, dated August 4, 2014, last revised April 30, 2015.

e. Remaining Business Area and the Neighborhood Business Area. The retail buildings in the remaining portions of the Business Area and the Neighborhood Business area shall be constructed in substantial conformance with the elevations shown on sheets 16 (Vignette-2) or 21 (Streetscape Elevations – New Ashcake Road View) of the Route 301 MUv32 Chickahominy District Hanover County Virginia", prepared by Bowman Consulting, dated August 4, 2014, last revised April 30, 2015. The office buildings located behind and west of the anchor buildings in the Business Area shall be constructed in substantial conformance with the elevation shown on sheet 18 (Vignette-4) of the Route 301 MUv32 Chickahominy District Hanover County Virginia", prepared by Bowman Consulting, dated August 4, 2014, last revised April 30, 2015.

12. Materials. Building materials utilized for the facades of the buildings shall be limited to brick, colored (not painted) split-face block, textured concrete tilt-up panels, metal, fluted block, tile, concrete tile, dryvit or other simulated stucco (E.I.F.S.), high-grade vinyl (a minimum of .042" nominal thickness as evidenced by manufacturer's printed literature), engineered wood (e.g. LP Smartside), cementitious siding (e.g. Hardiplank), and/or glass. Metal may be used for not more than fifteen percent (15%) of front and side building façade materials, exclusive of window frames and door frames. Roofing materials shall be dimensional asphalt shingle, real or simulated slate or standing metal seam. If a flat roof system is used, then a perimeter parapet of dryvit, standing metal seam, colored (not painted) decorative split face block, fluted block, tile, concrete tile, textured concrete tilt-up panels or brick shall be used. Standard concrete masonry block shall not be used for

the facades of any building. Elevations for all buildings to be constructed upon the B-3 Property shall conform to the foregoing limitations.

13. Loading Docks. Service and delivery loading docks will be located at the side or rear of structures, and will be treated with architectural elements or decorative fencing and/or evergreen landscaping to screen their visibility from the public roadways.

14. HVAC. Any mechanical units placed on the rooftops of buildings shall be screened by architectural features which are compatible with building façade architecture. The method of screening shall be provided and reviewed with the Planning Director's review of the building elevations.

15. Use Prohibitions.

a. The Neighborhood Business Area shall only be used for any use permitted in the B-1 District and for banks and other financial institutions with a drive-through window.

b. In the Business Area, the following B-3 permitted uses shall not be allowed:

i. Animal hospital or kennel that utilizes an outdoor run or kennel;
ii. Outdoor sales and storage of boats and boat trailers;
iii. Plumbing and heating shop, painting shop, upholstery shop;
iv. Mobile home sales, display and storage, or sales, rentals, display and storage of recreational vehicles, both new and used;
v. Wholesale establishments, provided a discount retailer or a membership warehouse club will not be considered a wholesale establishment;
vi. Furniture refinisher;
vii. Adult uses;
viii. Truck sales, new or used;
ix. Mobile home park;
x. Auto body and fender repair;
xi. Retail Fueling Station unless associated with a grocery store and then only selling convenience items from the attendant's kiosk (but excluding the sale of alcohol from the attendant's kiosk);
xii. More than one (1) conventional fast food drive-through restaurant (as classified in the ITE Trip Generation Manual, 9th edition, as Land Use Code 934), and more than two (2) specialty drive-through restaurants such as a coffee, doughnut, bread, bagel, and ice cream shop (as classified in the ITE Trip Generation Manual, 9th edition, as Land Use Codes 937 and 940);
xiii. Automobile rental;
xiv. Boat, personal watercraft, and boat trailer dealers, including service, repair and storage;
xv. Motorcycle dealers, including sales, service and repairs, including body and fender repairs;

xvi. Recreational vehicle sales (new vehicles) and rentals, including display, repair and storage;
xvii. Truck rental, not including tractor trailers and limited to pick-up or panel trucks with a gross vehicle weight rating of 26,000 pounds or less; and
xviii. With the exception of uses identified in Section 26-128(a)(1)(a-c) and (a)(3), all other uses with special standards in Section 26-128 shall be prohibited.

16. Signage. All freestanding signage on the Neighborhood Business Area and the Business Area shall be monument style. Retail tenants will be permitted to show their standard logo and colors on building and panel signage. In addition, the following standards shall apply:

a. Should the site be developed for multiple tenants, any freestanding sign shall be a multi-use design;
b. Wall signs for the anchor store may be designed in accordance with B-3 District standards; and
c. Wall signs for retail and office spaces may utilize wall signs in accordance with B-2 District standards.

17. Site Lighting. Lighting fixtures shall not exceed thirty-five (35) feet in height as measured from the grade at the base of the lighting standard.

18. Hours of Trash Pickup; Parking Lot Cleaning. Trash pickup from and parking lot cleaning in the Neighborhood Business Area and the Business Area shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday and between 9:00 a.m. and 8:00 p.m. on Saturday. There shall be no trash pickup or parking lot cleaning on Sundays.

19. Mixed Use Buildings. The office buildings behind and west of the anchor building shown in the Business Area shall be used only for offices, such as business, governmental, medical or professional offices. The quad cluster of buildings in the Business Area, located between the anchor building and the boundary line shared with the MF Area, shall be used as follows:

a. the two buildings on the south side of this quad cluster shall be used for offices, such as business, governmental, medical or professional offices, only if one story in height, but if two stories in height, the first story may be used for any use permitted with this rezoning and the second story shall be used for only offices, such as business, governmental, medical or professional offices; and

b. the two buildings on the north side of this quad cluster shall be used for the uses permitted by this rezoning, but if one or both of these two buildings is constructed to two stories, then the second story uses shall only be for offices, such as business, governmental, medical or professional offices.

20. Patios. If desired by tenants, the Property Owner shall have the option to construct patios for outdoor dining and such patios will be permitted if the Planning Director determines it is in substantial conformity with the proffered conceptual plan.

21. Bike Racks. The Property Owner shall install two bike racks in the Business Area or the Neighborhood Business Area, or one in each.

22. Hours of Grocery Delivery/Hours of Fuel Delivery to Fuel Center Accessory to a Grocery Store. Deliveries by tractor-trailer to any grocery store and fueling station associated with a grocery store on the B-3 Property shall not use the site entrance across from Georgie Drive during the following hours: 7:00 a.m. to 9:00 a.m. and 5:00 p.m. to 7:00 p.m. (the "Delivery Hour Restriction"). The Delivery Hour Restriction shall be included in the Covenants recorded against the Business Area. If and to the extent permitted by the Virginia Department of Transportation, the Property Owner shall install signage at the site entrance across from Georgie Drive stating the hours of the Delivery Hour Restriction.

APPLICABLE TO RS ZONED PROPERTY

23. Home Sizes. Homes shall have a minimum of one thousand six hundred (1,600) square feet of finished floor area, exclusive of garages.

24. Exterior Materials. Exterior wall materials (exclusive of windows and doors) shall be brick, stone, cultured stone, high-grade vinyl (a minimum of .042" nominal thickness as evidenced by manufacturer's printed literature), engineered wood (e.g. LP Smartside), cementitious siding (e.g. Hardiplank) 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 subdivision plan. Roof materials shall be 30 year architectural/dimensional asphalt composition shingle, unless otherwise requested and specifically approved at the time of subdivision plan.

25. Foundations. Any portion of a foundation of a dwelling unit which is visible from the exterior of such dwelling shall be constructed of brick, stone or E.I.F.S. provided that the front exterior walls of the dwelling are also sided primarily in E.I.F.S.

26. Chimneys. The exposed portions of all fireplace chimneys shall be brick, stone or a siding similar to the exterior treatment of the building.

APPLICABLE TO THE RM ZONED TH AREA

27. Minimum Sizes. The minimum finished floor area of each home shall be one thousand four hundred fifty (1,450) square feet.

28. Building Materials. Exterior wall materials (exclusive of windows and doors) shall be brick, stone, cultured stone, high-grade vinyl (a minimum of .042" nominal thickness as evidenced by manufacturer's printed literature), engineered wood (e.g. LP Smartside), cementitious siding (e.g. Hardiplank) 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 subdivision plan. Roof materials shall be 30 year architectural/dimensional asphalt composition shingle, unless otherwise requested and specifically approved at the time of site plan approval.

29. Garages. Each home shall have a minimum of a one (1) car attached garage.

30. Driveways. All driveways directly serving individual homes shall be constructed of concrete, asphalt, aggregate materials, brick or stone pavers.

31. Street Lights. Street lights shall not exceed sixteen (16) feet in height as measured from the grade at the base of the lighting standard.

APPLICABLE TO THE RM ZONED MF AREA

32. Building Materials. Exterior wall materials (exclusive of windows and doors) shall be brick, stone, cultured stone, engineered wood (e.g. LP Smartside), cementitious siding (e.g. Hardiplank) 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 subdivision plan. Roof materials shall be 30 year architectural/dimensional asphalt composition shingle, unless otherwise requested and specifically approved at the time of site plan approval.

33. Parking Lot Lighting. Parking lot lighting fixtures shall not exceed twenty-five (25) feet in height as measured from the grade at the base of the lighting standard.

34. Unit Size; Number of Bedrooms. One bedroom units shall contain a minimum of eight hundred (800) square feet of finished floor area each, with the total number of one bedroom units not to exceed forty percent (40%) of the total number of dwelling units on the MF Area. Two bedroom units shall contain a minimum of nine hundred (900) square feet of finished floor area each. Three bedroom units shall contain a minimum of one thousand one hundred (1,100) square feet of finished floor area each, with the total number of three bedroom units not to exceed twenty-five percent (25%) of the total number of dwelling units on the MF Area.

35. Recreational Amenities. Recreational amenities containing at a minimum a clubhouse, a pool, a fitness center and a playground shall be provided no later than the issuance of a certificate of occupancy for the one hundredth (100th) unit on the MF Area.

PAUL B. KIRBY AND KATHRYN C. KIRBY; TIMOTHY BRIAN KIRBY, JR. AND JACOB DONALD KIRBY; CHARLES W. BRUGGEMAN, TRUSTEE OF THE SCOTT K. MCDOUGLE CHARITABLE TRUST; KIRBY COVE FAMILY LIMITED PARTNERSHIP; RACHEL N. HUFF; MIRIAM K. SODERGREN; MARY LYNNE MCDOUGLE; EWN NEW ASHCAKE, LLC

By: _____
Jeffrey P. Geiger, Attorney-in-Fact
Date: June 4, 2015

COMMONWEALTH OF VIRGINIA
CITY OF RICHMOND, to-wit:

I, Janet Johnston, a Notary Public for the Commonwealth of Virginia, at-large, do certify that Jeffrey P. Geiger, whose name is signed to the above, bearing date on the 4th day of June, 2015, has acknowledged the same before me in my State aforesaid.

Given under my hand this 4th day of June, 2015.

Janet Johnston (SEAL)
Notary Public

JANET ANNE JOHNSTON NOTARY PUBLIC REG # 7560312 MY COMMISSION EXPIRES 01/31/2017 COMMONWEALTH OF VIRGINIA

My Commission Expires: 1/31/2017
Notary ID#: 7560312

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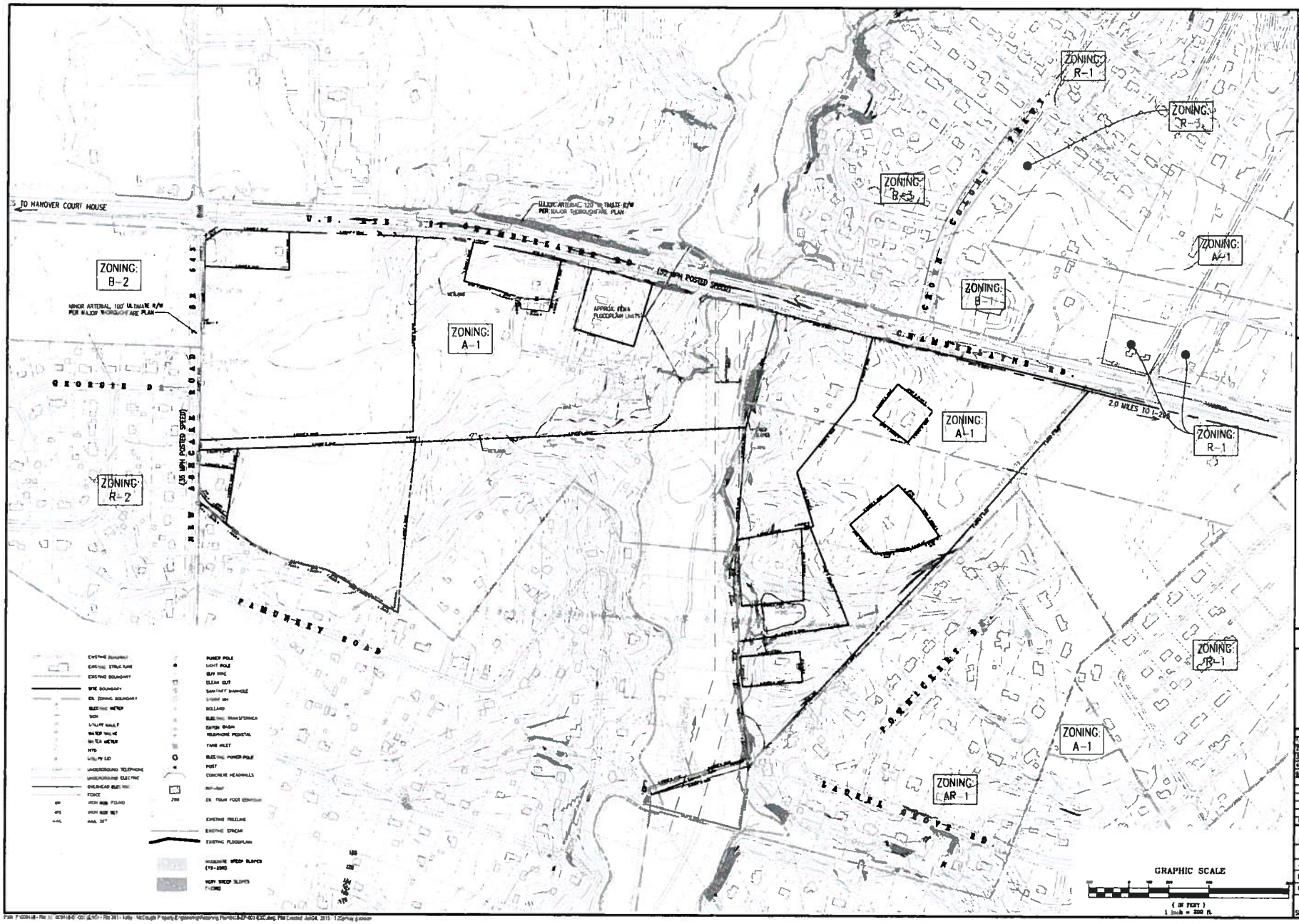

Bowman CONSULTING

Bowman Consulting Group, Ltd.
3951 Westerre Parkway
Suite 153
Richmond, Virginia 23233
Phone: (804) 816-3246
Fax: (804) 277-3999
www.bowmanconsulting.com
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EXISTING CONDITIONS

CALDWELL PARK

CHICKAHOMINY DISTRICT

HANOVER COUNTY, VIRGINIA

COUNTY PROJECT NUMBER

PLAN STATUS	
1/28/15	Revision No. 1
2/11/15	Revision No. 2
3/12/15	Revision No. 3
4/30/15	Revision No. 4
6/4/15	Revision No. 5

DATE	DESCRIPTION	
MB, JJ DESIGN	KC, JJ DRAWN	KD CHKD

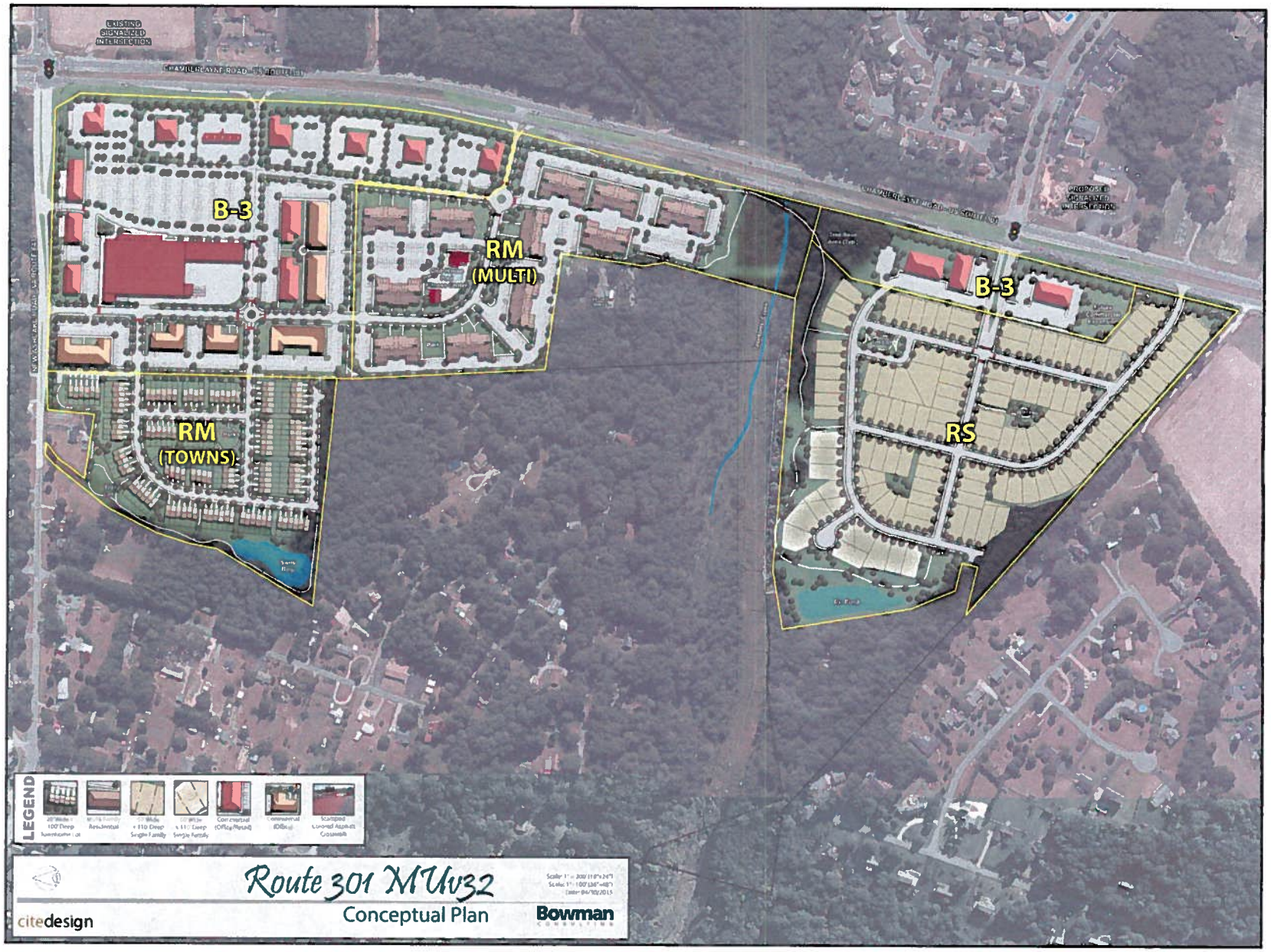
SCALE: H 1"=200' V NONE

JOB No. 8418-02-001

DATE: Aug. 8, 2014

FILE No.

SHEET 2



Bowman CONSULTING

CONCEPTUAL PLAN

CALDWELL PARK

CHICKAHOMINY DISTRICT

HANOVER COUNTY, VIRGINIA

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SCALE	H V	
JOB No.	0418-02-001	
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FILE No.		
SHEET	3	