

INTRODUCED: April 23, 2012

AN ORDINANCE No. 2012-72 - 2013-132

As Amended

To conditionally rezone the properties known as 3320 Rear Traylor Drive, [~~10380 Duryea Drive,~~] 10502 Duryea Drive, 10350A Duryea Drive, 10502C Duryea Drive, 10502B Duryea Drive, 10508 Duryea Drive, 10506 Duryea Drive, 10502D Duryea Drive, 10504A Duryea Drive, 10504 Duryea Drive, 10500 Duryea Drive and 10502A Duryea Drive from the current zoning districts of R-1 (Single-Family Residential) and [~~R-4~~] R-4C (Single-Family Residential Conditional) to the [~~R-5~~] R-4C R-5C (Single-Family Residential Conditional), upon certain proffered conditions.

Patron – Mayor Jones (By Request)

Approved as to form and legality
by the City Attorney

MAY 29 2013

PUBLIC HEARING: AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the site plan entitled “Archer Springs, Single-Family Residential, City of Richmond, Virginia,” prepared by The Bay Companies, dated March 30, 2011, and last revised [~~February 28~~] [~~December 7, 2012~~] June 18, 2013, a copy of which is attached to, incorporated into, and made a part of this ordinance, the following properties, with tax parcel numbers as shown in the [~~2012~~] 2013 records of the City Assessor, are excluded from the R-1 Single-Family Residential District and shall no longer be subject to the provisions of

AYES: 9 NOES: 0 ABSTAIN: _____

ADOPTED: JUL 22 2013 REJECTED: _____ STRICKEN: _____

sections 114-402.1 through 114-402.7 of the Code of the City of Richmond (2004), as amended, and that the same are included in the ~~[R-5]~~ [R-4] R-5 Single-Family Residential District and shall be subject to the provisions of sections ~~[114-410.1]~~ [114-408.1] 114-410.1 through ~~[114-410.7]~~ [114-408.7] 114-410.7 and all other applicable provisions of Chapter 114 of the Code of the City of Richmond (2004), as amended:

3320 Rear Traylor Drive	C001-1254/109
[10380 Duryea Drive]	C001-1254/108]
10350 A Duryea Drive	C001-1254/030
10502 C Duryea Drive	C001-1254/029
A portion of 10500 Duryea Drive	C001-1254/028
A portion of 10502 Duryea Drive	C001-1254/024
A portion of 10502 A Duryea Drive	C001-1254/025
A portion of 10502 B Duryea Drive	C001-1254/026
A portion of 10502 D Duryea Drive	C001-1254/107
A portion of 10504 Duryea Drive	C001-1254/022

§ 2. That, as shown on the site plan entitled “Archer Springs, Single-Family Residential, City of Richmond, Virginia,” prepared by The Bay Companies, dated March 30, 2011, and last revised [February 28] [December 7, 2012] June 18, 2013, a copy of which is attached to, incorporated into, and made a part of this ordinance, the following properties, with tax parcel numbers as shown in the ~~[2012]~~ 2013 records of the City Assessor, ~~[(i) are excluded from the R-4 Single-Family Residential District (Conditional) (ii) shall no longer be subject to the provisions of sections 114-408.1 through 114-408.7 of the Code of the City of Richmond (2004), as amended, (iii)]~~ [(i) are excluded from the R-4 Single-Family Residential District (Conditional) (ii) shall no longer be subject to the provisions of sections 114-408.1 through 114-408.7 of the Code of the City of Richmond (2004), as amended, (iii)] shall no longer be subject to the conditions proffered by the owners of the properties pursuant to Ordinance No. 2007-237-216, adopted October 8, 2007, ~~[(iv)]~~ [(ii)] (iv) are included in the ~~[R-5]~~ [R-4] R-5 Single-Family Residential District and ~~[(v)]~~ [(iii)] (v) shall be subject to the provisions of

sections ~~[114-410.1]~~ ~~[114-408.1]~~ 114-410.1 through ~~[114-410.7]~~ ~~[114-408.7]~~ 114-410.7 and all other applicable provisions of Chapter 114 of the Code of the City of Richmond (2004), as amended:

A portion of 10500 Duryea Drive	C001-1254/028
A portion of 10502 Duryea Drive	C001-1254/024
A portion of 10502 A Duryea Drive	C001-1254/025
A portion of 10502 B Duryea Drive	C001-1254/026
A portion of 10502 D Duryea Drive	C001-1254/107
A portion of 10504 Duryea Drive	C001-1254/022
10504 A Duryea Drive	C001-1254/027
10506 Duryea Drive	C001-1254/023
10508 Duryea Drive	C001-1254/021

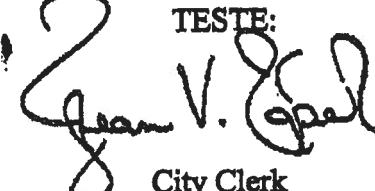
§ 3. That this rezoning shall be conditioned upon the compliance by the owner or owners with all of the proffered conditions entitled “Proffered ~~[Condition]~~ Conditions for Archer Springs Subdivision, Amended and re-stated ~~[February 28, 2012]~~ ~~[March 27]~~ ~~[May 14]~~ June 18, 2013” and dated ~~[February 28, 2012]~~ ~~[March 27]~~ ~~[May 14]~~ June 18, 2013, a copy of which is attached to, incorporated into, and made a part of this ordinance~~[- provided that references in such proffered conditions to the Director of Community Development shall be deemed to be references to the Director of Planning and Development Review].~~ These conditions, having been proffered by the owner or owners and accepted by the City, shall continue in full force and effect until a subsequent amendment to the City’s zoning ordinance changes the zoning of the parcels rezoned by this ordinance and specifically repeals such conditions.

§ 4. That Ordinance No. 2007-237-216, adopted October 8, 2007, be and is hereby repealed.

§ 5. This ordinance shall be in force and effect upon adoption.

A TRUE COPY:

TESTE:


City Clerk

Proffered ~~[Condition]~~ Conditions for Archer Springs Subdivision
Amended and re-stated ~~[February 28, 2012]~~ ~~[March 27]~~ ~~[May 14]~~ June 18, 2013

Pursuant to the provisions of ~~[Article V of Chapter 32]~~ Article XI, Division 2 of Chapter 114 of the Richmond City Code, (2004), as amended, StyleCraft Homes Inc., (the Applicant), hereby submits this application for a conditional rezoning for ~~[R-5C]~~ ~~[R-4C]~~ R-5C which consists of approximately 43.7 acres on the north side of Duryea Drive approximately 826± feet from the intersection with Old Gun Road.

The Applicant specifically requests consideration of the following proffered conditions:

1. Site Plan. The property shall be developed generally as shown on a plan entitled "Archer Springs" prepared by The Bay Companies, dated March 30, 2011, and revised February 28, 2012, ~~[and]~~ December 7, 2012, and June 18, 2013, except to the extent that modifications to the plan are approved at the time of subdivision approval.
2. Density. No more than ~~[one hundred and two (102)]~~ ~~[ninety-two (92)]~~ one hundred two (102) lots shall be developed on the Property.
3. Existing House on the Property. The house has been restored and maintained and not subject to ~~[be built-proffers]~~ the proffers applicable to new construction.
4. Protective Covenants and Restrictions. Prior to or concurrent with the recordation of the first subdivision plat and before the conveyance of any portion of the Property covered by said subdivision plat (other than for dedication of easements, roads or utilities), a document shall be recorded in the Clerks' Office of the Circuit Court of the City of Richmond, Virginia, establishing a Homeowner's Association (the Association) to oversee development and maintenance of certain portions of the Property (the Declaration). The Declaration shall address responsibility of maintenance of buffers, open space, certain yards and common areas, and shall establish standards for architectural control of improvements constructed on the Property.
5. Underground Utilities. Except for junction boxes, meters, transmission mains and existing utility lines and technical or environmental reasons, all utility lines shall be underground. A good-faith effort shall be made to have the utilities on the alley-loaded block faces to be loaded from the alley.
6. Street Side Improvements. Street side improvements described below will be installed as homes are built on lots developed on the property, generally as shown on the sketch plan entitled "Archer Springs", prepared by The Bay Companies, the plan, dated March 30, 2011, and revised February 28, 2012, ~~[and]~~ December 7, 2012, and June 18, 2013, submitted herewith, unless variations are approved by the Planning ~~[Committees]~~ Commission at the time of tentative subdivision approval.
 - (a) Streetlights. Decorative streetlights of a uniform style shall be provided adjacent to sidewalks provided within the development. Cobra ~~[hard]~~ head fixtures shall not be permitted.
 - (b) Mailboxes and Support Posts. All improved lots shall have uniform mailboxes and support posts installed of the same design.
 - (c) Sidewalk, Curb, and Gutter. A sidewalk and curb and gutter shall be provided within the development on both sides of all internal public streets ~~[and along the development frontage along Duryea Drive]~~. Sidewalks shall be installed in front of each lot as the home is built.

- (d) Street Trees. The neighborhood shall have street trees planted with a minimum of two (2) inch caliper as homes are built. Each lot shall have at least one (1) tree and corner lots shall have a minimum of two (2) trees.
7. Yards. Front and side yards shall be sodded and irrigated, exclusive of mulched flowerbeds and landscaping. ~~[The Association shall be responsible for lawn maintenance of such yards.]~~ **The Association shall be responsible for lawn maintenance of such yards.**
8. Driveways and Alleys. They shall be hard-scaped with either cobblestone, brick, asphalt, precast pavers, concrete or other similar materials.
9. Duryea Drive. No lot shall have direct **vehicular** access to Duryea Drive but use the internal public streets.
10. Landscaping. All improved lots shall have landscaping of similar uniform design.
11. Home Size. Homes shall be detached and shall have a minimum of ~~[one thousand six hundred (1,600)]~~ **one thousand five hundred fifty (1,550)** square feet of finished floor area. All homes will have first floor master suites.
12. Garages. All homes shall have a minimum of a two (2) car garage either attached or detached. Garages shall be either side-loaded, rear-loaded, or detached and a maximum of ~~[thirty-five (35)]~~ **[fifty (50)]** **thirty-five (35)** percent ~~[shall]~~ **may** be front-loaded.
13. Exterior Materials. Exterior wall materials (exclusive of windows, doors and architectural features) that may be used are brick, stone, cultured stone, composite-type siding, cementitious siding, E.I.F.S. (Drivit) or a combination of the foregoing materials based on individual architectural designs. The Director of ~~[Community]~~ **Planning and Development Review** prior to the issuance of a building permit shall have the authority to modify and approve architectural features and materials.
14. Home Elevation. Elevations maybe one (1) story, one and a half (1 ½) story, or two (2) story homes. A minimum of three (3) types of homes shall be built with three (3) to ~~[four (4)]~~ **five (5)** elevations per home. Homes will be Traditional, Craftsman ~~[or Colonial]~~ **American, Virginian, or French Country** designs with or without front porches. Each style and elevation **and the addition of different elevations shall [may]** be reviewed and approved by the Director of ~~[Community]~~ **Planning and Development Review** **prior to the issuance of a building permit.**
15. Foundations. The exposed exterior portions of exterior residence foundations shall be constructed of brick, stone~~[s]~~ **or** cultured stone ~~[or drivit]~~.
- 16. Corner Lots. All windows on the side elevation facing the street shall have the same trim as the front elevation.**
- 17. Tree Preservation. A tree preservation plan shall be submitted to the City Planning Commission for review and approval prior to the approval of the preliminary subdivision plat. All specimen trees exceeding thirty-six (36) inches in diameter or exceeding seventy-five (75) feet in height shall be located on the tree preservation plan and preserved to the extent possible.**
- 18. Grading Plan. A grading plan shall be submitted to the City Planning Commission for review and approval prior to the approval of the preliminary subdivision plat. The grading plan of the site shall be designed to preserve the maximum number of trees possible.**

~~[16]~~~~[17]~~**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.


By Larry Horton
Attorney-In-Fact

JOB NO. 06115

DATE: 08/15/11

DESIGNED BY: [Name]

DRAWN BY: [Name]

CHECKED BY: [Name]

APPROVED BY: [Name]



CONSULTING ENGINEERS

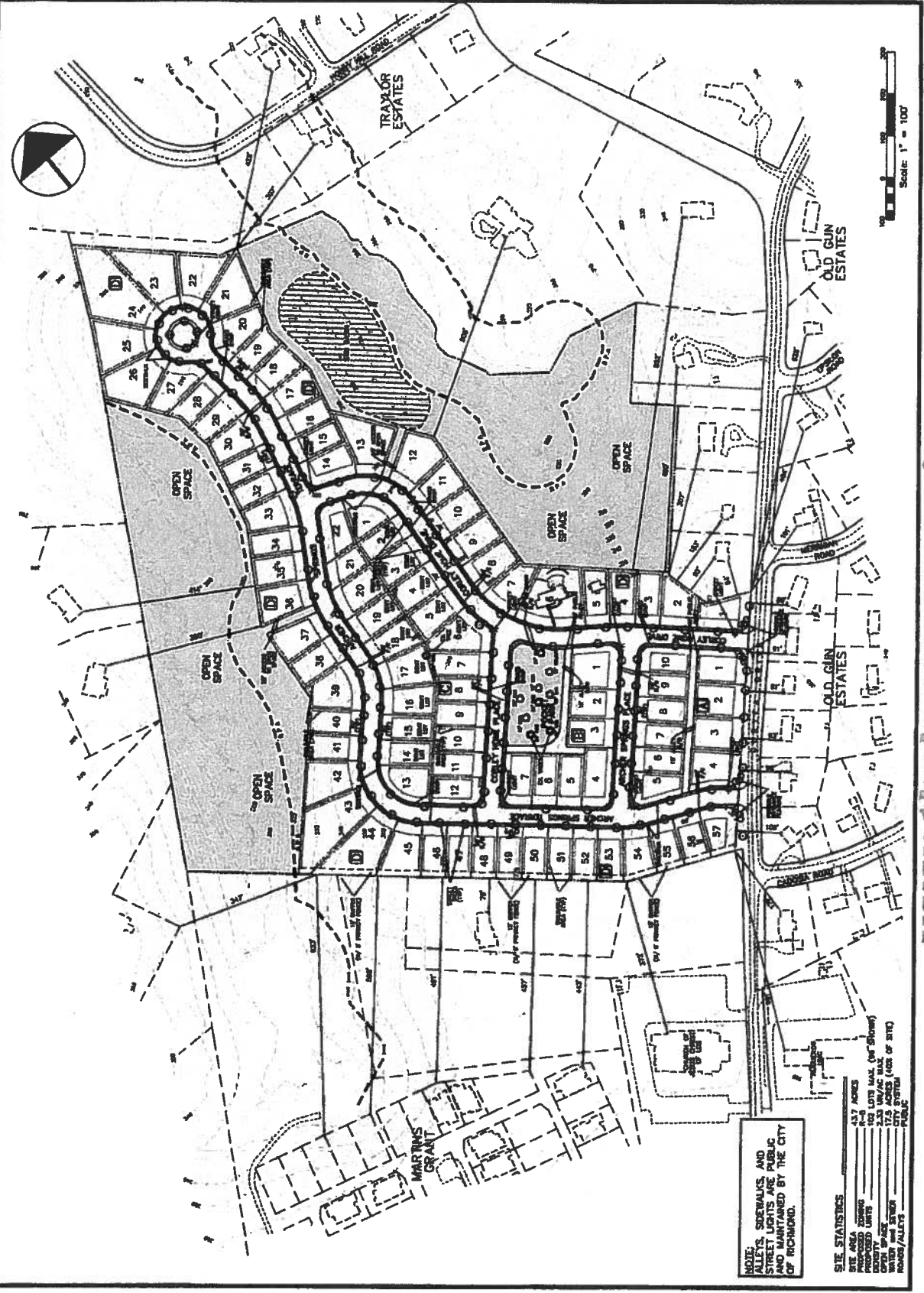
1000 W. MAIN ST., SUITE 200
 RICHMOND, VA 23220
 (804) 781-1111

PROJECT: Archer Springs
 Single Family Residential
 City of Richmond, Virginia

SHEET: Site Plan

DATE: 08/15/11

SCALE: 1" = 100'



www.thebaycompanies.com