~~January 16, 2007 CPC~~
~~March 20, 2007 CPC~~
~~May 15, 2007 CPC~~
July 17, 2007 CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

07SN0206
(AMENDED)

GBS Holding Ltd

Matoaca Magisterial District
Watkins Elementary; Midlothian Middle; and Midlothian High Schools Attendance Zones
West line of Old Hundred Road

REQUEST: Rezoning from Agricultural (A) to Residential (R-15) plus Conditional Use Planned Development to permit exceptions to Ordinance requirements.

PROPOSED LAND USE:

A single family residential subdivision is planned. The applicant has agreed to limit the number of lots to forty-five (45), yielding a density of approximately 1.2 dwelling units per acre with a minimum lot size of 9,500 square feet. (Proffered Condition 2 and Textual Statement)

(NOTE: IN ORDER FOR THE PLANNING COMMISSION TO CONSIDER THIS REQUEST AT THEIR JULY 17, 2007, PUBLIC HEARING, A $250.00 DEFERRAL FEE MUST BE PAID.)

RECOMMENDATION

Recommend denial for the following reasons:

A. While the proposed zoning and land uses conform to the Upper Swift Creek Plan which suggests the property is appropriate for single family residential use of 2.0 units per acre or less, the application fails to address compatibility between the proposed cluster lots and the adjacent Residential (R-15) development through which the smaller cluster lots would have sole access.

B. The application fails to address transportation concerns relative to the provision of public roads.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER**(S)** MAY PROFFER CONDITIONS.)

PROFFERED CONDITIONS

The Owners and the Developer (the "Developer") in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the development of the Property known as Chesterfield County Tax Identification Number part of 714-698-3178 (the "Property") under consideration will be developed according to the following conditions if, and only if, the rezoning request for R-15 and the conditional use plan of development is granted. In the event the request is denied or approved with conditions not agreed to by the Developer, the proffers and conditions shall immediately be null and void and of no further force or effect. If the zoning is granted, these proffers and conditions will supersede all proffers and conditions now existing on the Property.

1. Master Plan. The Textual Statement, dated March 7, 2007, and Exhibit A, dated March 1, 2007, shall be considered the Master Plan. (P)

2. Density. The maximum number of dwelling units developed on the Property shall be forty-five (45). Of this total, a minimum of seventeen (17) lots shall be of Lot Type B and a maximum of twenty six (26) shall be of Lot Type A, as further defined in the Textual Statement. (P)

3. Timbering. With the exception of timbering, which has been approved by the Virginia State Department of Forestry, there shall be no timbering until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)

4. Utilities. The public water and wastewater systems shall be used, except for model homes/sales offices not in permanent dwellings and/or construction offices. (U)

5. Cash Proffers. The Developer, subdivider, or assignee(s) shall pay the following to the County of Chesterfield prior to the issuance of a building permit for infrastructure improvements within the service district for the Property:

   A. $15,600.00 per dwelling unit if paid prior to July 1, 2007. At the time of payment, the $15,600 will be allocated pro-rata among the facility costs as follows: $5,331 for schools, $602 for parks and recreation, $348 for library facilities, $8,915 for roads, and $404 for fire stations. Thereafter, such payment shall be the amount approved by the Board of Supervisors not to exceed $15,600.00 per unit as adjusted upward by any increase in

the Marshall and Swift Building Cost Index between July 1, 2006 and July 1 of the fiscal year in which the payment is made if paid after June 30, 2007.

B. If, upon the mutual agreement of the Transportation Department and the Developer, the Developer provides road improvements (the "Improvements") in the vicinity of Old Hundred Road, then the transportation component in this Proffered Condition shall be reduced by an amount not to exceed the cost to construct the Improvements so long as the cost is of equal or greater value than that which would have been collected through the payment(s) of the road component of the cash proffer as determined by the Transportation Department. Once the sum total amount of the cash proffer credit exceeds the cost of the Improvements, as determined by the Transportation Department, thereafter the Developer shall commence paying the cash proffer as set forth in this Proffered Condition as adjusted for the credit. For the purposes of this proffer, the costs, as approved by the Transportation Department, shall include, but not be limited to, the cost of right-of-way acquisition, engineering costs, costs of relocating utilities and actual costs of construction (including labor, materials, and overhead) ("Work"). Before any Work is performed, the Developer shall receive prior written approval by the Transportation Department for the Improvements and any credit amount.

C. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the Property, the amount paid in cash proffers shall be in lieu of or credited toward, but not in addition to, any impact fees, in a manner as determined by the county. (B&M)

6. Access. No vehicular access shall be permitted to the Property from Old Hundred Road. (T)

7. Dedication. In conjunction with recordation of the initial subdivision plat or within sixty (60) days from the date of a written request by the Transportation Department, whichever occurs first, forty-five (45) feet of right-of-way on the west side of Old Hundred Road, measured from the centerline of that part of Old Hundred Road immediately adjacent to the Property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)

8. Buffers. All required buffers shall be located within recorded open space. (P)

GENERAL INFORMATION

Location:

West line of Old Hundred Road, northwest of Otterdale Road. Tax ID 714-698-Part of 3178.

Existing Zoning:

A

Size:

38.8 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North and West – R-15; Single family residential or vacant
South - R-40; Single family residential
East - A; Single family residential

UTILITIES

Public Water System:

There is an existing twenty-four (24) inch water line extending along the north side of Midlothian Turnpike that terminates west of Huguenot Springs Road, adjacent to the Huguenot Springs Water Tank, approximately 2.12 miles north of this site. A sixteen (16) inch water line is under construction in conjunction with the Hallsley development and when completed will extend from Midlothian Turnpike along Dry Bridge Road and continuing south along Old Hundred Road to terminate at a point, adjacent to the southern boundary of this site. Use of the public water system is recommended by the Upper Swift Creek Plan . (Proffered Condition 4)

Public Wastewater System:

There is an existing sixty (60) inch wastewater trunk line extending along the north side of Genito Road, adjacent to the Swift Creek Reservoir, approximately three (3) miles southeast of this site. The request site is within the drainage area of the Upper Swift Creek Basin. In conjunction with the Hallsley development, a forty-two (42) inch wastewater trunk line is under construction along a portion of Swift Creek and Nelsons Branch. In addition, the on-site wastewater collector lines are under construction for Hallsley Section 1. When

completed, the public wastewater system will be available to serve this site. Use of the public wastewater system is recommended by the Upper Swift Creek Plan . (Proffered Condition 4)

ENVIRONMENTAL

Drainage and Erosion:

The subject property drains to the east through North Hundred subdivision and then via tributaries to Swift Creek Reservoir. There are currently no on- or off-site drainage or erosion problems and none are anticipated after development. The southern portion of the parcel is wooded and, as such, should not be timbered without obtaining a land disturbance permit from the Department of Environmental Engineering. This will ensure that adequate erosion control measures are in place prior to any land disturbance. (Proffered Condition 3)

Water Quality:

Ordinances have recently been amended to adequately address pollution run off from the subject property.

PUBLIC FACILITIES

The need for fire, school, library, park and transportation facilities is identified in the Public Facilities Plan, the Thoroughfare Plan and the Capital Improvement Program. This development will have an impact on these facilities.

Fire Service:

The Public Facilities Plan indicates that fire and emergency medical service (EMS) calls are expected to increase forty-four (44) to seventy-eight (78) percent by 2022. Six (6) new fire/rescue stations are recommended for construction by 2022 in the Plan. In addition to the six new stations, the Plan also recommends the expansion of five (5) existing stations. Based on forty-five (45) dwelling units, this request will generate approximately seven (7) call for fire and emergency medical service each year. The applicant has addressed the impact on fire and EMS. (Proffered Condition 5)

The applicant has requested that some dwellings be allowed to front on open space or courtyards. If access to the dwellings is by alleys, such alleys may be required to be constructed as a fire lane in accordance with the 2003 International Fire Code. This requirement will be evaluated at the time of tentative subdivision review.

The Swift Creek Fire Station, Company Number 16, currently provides fire protection and emergency medical service. When the property is developed, the number of hydrants, quantity of water needed for fire protection, and access requirements will be evaluated during the plans review process.

Schools:

Approximately twenty-three (23) (Elementary: 10, Middle: 6, High: 7) students will be generated by this development. Currently this site lies in the Watkins Elementary School attendance zone: capacity - 752, enrollment - 743; Midlothian Middle School: capacity - 1,301, enrollment - 1,424; and Midlothian High School: capacity - 1,589, enrollment - 1,520. The enrollment is based on September 29, 2006 and the capacity is as of 2006-2007. This request will have an impact on the elementary and middle schools. There are currently seven (7) trailers at Watkins Elementary and six (6) trailers at Midlothian Middle.

The current Capital Improvements Plan and Public Facilities Plan contain no new facilities in this area. Increased capacity for this area will be provided by additions to these schools by 2012. This case combined with other residential developments and zoning cases in the zones, will continue to push these schools over capacity, necessitating some form of additional relief in the future. The applicant has addressed the impact of the development on schools. (Proffered Condition 5)

Libraries:

Consistent with the Board of Supervisors' policy, the impact of development on library services is assessed County-wide. Based on projected population growth, the Public Facilities Plan identifies a need for additional library space throughout the County.

Development in this area of the county would most likely impact either the Midlothian Library or a proposed new branch in the Genito Road area. The Plan indicates a need for additional library space in this area of the County. The applicant has addressed the impact on library facilities. (Proffered Condition 5)

Parks and Recreation:

The Public Facilities Plan identifies the need for three (3) new regional parks, seven (7) community parks, twenty-nine (29) neighborhood parks and five (5) community centers by 2020. In addition, the Public Facilities Plan identifies the need for ten (10) new or expanded special purpose parks to provide water access or preserve and interpret unique recreational, cultural or environmental resources. The Plan identifies shortfalls in trails and recreational historic sites.

The applicant has offered measures to assist in addressing the impact of this proposed development on these parks and recreational facilities. (Proffered Condition 5)

Transportation:

The property (38.8 acres) is currently zoned Agricultural (A), and the applicant is requesting rezoning to Residential (R-15) with Conditional Use Planned Development to permit exceptions to the zoning ordinance requirements. The Transportation Department

cannot support this case because the applicant is requesting relief of the requirement for public roads.

The applicant has proffered a maximum density of forty-five (45) units (Proffered Condition 2). Based on single-family trip rates, development could generate approximately 500 average daily trips. These vehicles will be initially distributed to Old Hundred Road. Based on the most recent data from the Virginia Department of Transportation (VDOT), this section of Old Hundred Road was carrying 5,900 vehicles per day (VPD) in 2005.

The Thoroughfare Plan identifies Old Hundred Road as a major arterial with a recommended right of way width of ninety (90) feet. The applicant has proffered to dedicate forty-five (45) feet of right of way, measured from the centerline of Old Hundred Road, in accordance with that Plan. (Proffered Condition 7)

Access to major arterials, such as Old Hundred Road, should be controlled. The applicant has proffered that no direct vehicular access will be provided from the property to Old Hundred Road (Proffered Condition 6). Vehicular access to Old Hundred Road will be provided along the streets in the adjacent subdivision to the north (Hallsley Subdivision). Included in the Subdivision Ordinance is the Planning Commission's Stub Road Policy. The Policy suggests that subdivision streets anticipated to carry 1,500 VPD or more should be designed as "no-lot frontage" collector roads. Traffic generated by this development traveling along the streets within Hallsley Subdivision is not anticipated to cause those streets to exceed acceptable subdivision street volumes as defined by the Stub Road Policy.

The property will be developed for residential use. Staff recommends that the streets in this development be accepted into the State Highway System. Having these streets accepted into the State Highway System will insure their long-term maintenance. The applicant has requested an exception to the Ordinance that would allow private streets in specific areas of this development (Textual Statement Condition IV A.4). Staff does not support private streets in this development.

Area roads need to be improved to address safety and accommodate the increase in traffic generated by this development. Old Hundred Road will be directly impacted by development of this property. Sections of this road have approximately nineteen (19) foot wide pavement with no shoulders. This road is at capacity (Level of Service E) for the volume of traffic it currently carries (5,900 VPD).

The applicant has proffered to provide cash, in an amount consistent with the Board of Supervisors' Cash Proffer Policy, towards mitigating the traffic impact of this development (Proffered Condition 5). Proffered Condition 5 would also allow, upon mutual agreement of the Transportation Department and the applicant, the applicant to provide road improvements equal to the cost of such payment(s). This option will be considered at time of tentative subdivision plat review.

As development continues in this part of the county, traffic volumes on area roads will substantially increase. Cash proffers alone will not cover the cost of the improvements needed to accommodate the traffic increases. No road improvement projects in this part of the county are included in the Six-Year Improvement Plan.

As previously stated, the applicant has requested an exception to allow private streets in this development. The Transportation Department cannot support this request.

Financial Impact on Capital Facilities:

		PER UNIT
Potential Number of New Dwelling Units	45*	1.00
Population Increase	122.40	2.72
Number of New Students		
Elementary	10.49	0.23
Middle	5.85	0.13
High	7.61	0.17
TOTAL	23.94	0.53
Net Cost for Schools	$240,660	$5,348
Net Cost for Parks	27,180	604
Net Cost for Libraries	15,705	349
Net Cost for Fire Stations	18,225	405
Average Net Cost for Roads	402,390	8,942
TOTAL NET COST	$704,160	$15,648

* Based on a proffered maximum of forty-five (45) dwelling units (Proffered Condition 2). The actual number of dwelling units and corresponding impact may vary.

As noted, this proposed development will have an impact on capital facilities. Staff has calculated the fiscal impact of every new dwelling unit on schools, roads, parks, libraries, and fire stations at $15,648 per unit. The applicant has been advised that a maximum proffer of $15,600 per unit would defray the cost of the capital facilities necessitated by this proposed development. Consistent with the Board of Supervisors' policy, and proffers accepted from other applicants, the applicant has offered cash and road improvements to assist in defraying the cost of this proposed zoning on such capital facilities. (Proffered Condition 5)

Note that circumstances relevant to this case, as presented by the applicant, have been reviewed and it has been determined that it is appropriate to accept the maximum cash proffer in this case.

LAND USE

Comprehensive Plan:

Lies within the boundaries of the Upper Swift Creek Plan which suggests the property is appropriate for single family residential use of 2.0 units per acre or less.

The Upper Swift Creek Plan Amendment is currently under review.

Area Development Trends:

Properties to the north and south are developed as part of the Hallsley and North Hundred Subdivisions. Property to the west is vacant, but is zoned for single-family development as part of the overall Hallsley project. Properties to the east are zoned Agricultural (A) and are occupied by single family dwellings. Residential development at densities consistent with the Plan is expected to continue in this area.

Site Design:

The property is proposed for a mix of residential uses, to include courtyard (Lot Type A) and conventional lots (Lot Type B), as well as open spaces. These uses will be located as depicted on the Master Plan (Attachment), as described in the Textual Statement (Attachment) and the proffered conditions. The boundaries and sizes of these development areas may be modified so long as their relationship with each other and adjacent properties is maintained. (Proffered Condition 1 and Textual Statement II)

Density:

A maximum of forty-five (45) dwelling units have been proffered, yielding an overall density of 1.2 dwelling units per acre. (Proffered Condition 2)

Courtyard Lots (Lot Type A):

A maximum of twenty-six (26) courtyard homes are proposed on individual lots having a minimum of 9,500 square feet. Exceptions have been requested to lot width, lot coverage and building setbacks. (Proffered Condition 2 and Textual Statement IV.A.1-3)

Buildings may front on public roads, as well as open spaces and courtyards with appropriate access easements. Alleys may be provided to serve these lots. The Textual Statement contains language establishing minimum standards for alleys. The location and design of alleys is best addressed during plan review when more details are known; therefore, this language should be omitted from the Textual Statement. (Textual Statement IV.A.5-7)

Conventional Lots (Lot Type B):

A minimum of seventeen (17) homes are proposed on individual lots having a minimum of 20,000 square feet. An exception has been requested to reduce the required front yard for dwellings. (Proffered Condition 2 and Textual Statement IV.B)

Compatibility with Adjoining Development:

This proposal would permit cluster or courtyard lots containing a minimum area of 9,500 square feet (Lot Type A). The Zoning Ordinance requires a minimum lot size of 12,000 square feet for single family development. Access to the subject property would be provided through the adjacent Hallsley Subdivision, which is zoned Residential (R-15) and requires a minimum lot size of 15,000 square feet. With approval of this request, a cluster lot development would have sole access via a local street through a conventional R-15 subdivision, resulting in a compatibility issue between these two (2) development types. As such, staff does not support an exception to permit lots below an area of 12,000 square feet.

Open Space, Buffers, Sidewalks and Street Trees:

Within each of the courtyard developments, a minimum of 8,000 square feet of open space would be located as a focal point. This focal point size is smaller than the three-quarter (.75) acre area typically required by the Commission and Board on similar projects. (Textual Statement IV.A.7)

Where lot areas are reduced below the minimum 15,000 square feet, the Ordinance will require that comparable amount of square footage be placed in open space. A minimum provision of five (5) acres of open space is proposed. (Textual Statement III.E)

All required buffers would be recorded in open space. (Proffered Condition 8)

Sidewalks and street trees shall be provided throughout the project. (Textual Statement III.B and C)

Parking:

The Ordinance requires the provision of two (2) off-street parking spaces for each dwelling unit. An exception is requested to permit both parking within garages and on-street parking to be credited towards this minimum requirement (Textual Statement III.A). While staff supports such exceptions since they reduce the amount of impervious area and therefore, the impact on water quality, the developer and future owners should be cautioned that with respect to enclosed parking, it will not be possible in the future to convert garages into living space.

CONCLUSIONS

While the proposed zoning and land uses conform to the Upper Swift Creek Plan which suggests the property is appropriate for single family residential use of 2.0 units per acre or less, the application fails to address compatibility between the proposed cluster lots and the adjacent Residential (R-15) development through which the smaller cluster lots would have sole access.

Further, the application fails to address transportation concerns relative to the provision of public roads.

Given these considerations, denial of this request is recommended.

CASE HISTORY

Planning Commission Meeting (1/16/07):

> At the request of the applicant, the Commission deferred this case to their March 20, 2007, meeting.

Staff (1/17/07):

> The applicant was advised in writing that any significant, new or revised information should be submitted no later than January 22, 2007, for consideration at the Commission's March 2007, public hearing. In addition, the applicant was advised that a $250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (1/27/07):

> The deferral fee was paid.

Area Property Owners, Applicant, Staff and Matoaca District Commissioner (1/31/07):

> A meeting was held to discuss this case. Concerns were expressed relative to provision of utilities; protection of environmental features; provision of open space; and architectural style and size of proposed dwelling units.

Applicant (2/15/07):

> The application was amended to withdraw the request for community recreation uses.

Applicant (2/22/07; 3/2/07; and 3/6/07):

Draft proffered conditions and Textual Statements were submitted.

Applicant (3/7/07):

Signed proffered conditions and Textual Statement were submitted.

Planning Commission Meeting (3/20/07):

At the request of the applicant, the Commission deferred this case to their May 15, 2007, meeting.

Staff (3/21/07):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than March 26, 2007, for consideration at the Commission's May 15, 2007, public hearing. In addition, the applicant was advised that a $250.00 deferral fee must be paid prior to the Commission's public hearing.

Applicant (5/14/07):

The deferral fee was paid.

Planning Commission Meeting (5/15/07):

At the request of the applicant, the Commission deferred this case to their July 17, 2007, public hearing.

Staff (5/16/07):

The applicant was advised in writing that any significant, new or revised information should be submitted no later than May 21, 2007, for consideration at the Commission's July public hearing. The applicant was also advised that a $250.00 deferral fee was due.

Staff (6/22/07):

To date, no new information has been received, nor has the deferral fee been paid.

Woodle Property
TEXTUAL STATEMENT
October 10, 2006
Revised January 11, 2007
Revised February 21, 2007
Revised March 1, 2007
Revised March 2, 2007
Revised March 6, 2007
Revised March 7, 2007

This application contains one (1) exhibit (Exhibit A: Master Plan) titled "Woodle Property," identifying Lot Types A and B and Open Spaces, prepared by Timmons Group and last revised on March 1, 2007.

Rezone: Rezone 38.8 acres (the "Property") from A to R-15, to permit residential uses permitted in the R-15 zoning district, and Conditional Use Planned Development ("CUPD") to permit exceptions to Ordinance requirements as set forth below.

General Conditions: To accommodate the orderly development of the Property, Lot Types A and B and Open Spaces (the "Tracts") shall be generally located as depicted on the Master Plan, but their location and size may be modified (such as moving the location of a Tract boundary) so long as the Tracts generally maintain their relationship with each other and any adjacent properties. A plan for Tract modification shall be submitted to the Planning Department for review and approval. Such plan shall be subject to appeal in accordance with the provisions of the Zoning Ordinance for Site Plan appeals.

III. Requirements and Exceptions for all Tracts

Parking. On-street parking shall generally be permitted on all public streets and around the courtyard areas. Where on-street parking is permitted, those spaces shall be counted towards the required number of parking spaces for the lots. Any private garage parking or other type of enclosed and/or covered parking area shall be counted toward the calculation of the required parking spaces.

Sidewalks. Sidewalks shall be located on both sides of public streets and around the courtyard areas and shall facilitate pedestrian access within the project.

Street Trees. Street trees shall be planted or retained along each side of all public streets and around the courtyard areas, except that if any building fronts on open space, passive recreation areas or parks, street trees shall not be required. Street trees will be maintained by the community association and not necessarily incorporated into the public right-of-way.

Open Space. A minimum of five (5) acres of the Property shall be located within recorded open space.

IV Requirements and Exceptions for Specific Tracts.

A. Lot Type A – Courtyard Lots

1. Front, Side, Corner side and Rear Yards. No minimum.

2. Lot Area and Width. Each lot shall have a lot area of not less than 9,500 square feet and a lot width of not less than thirty (30) feet.

3. Percentage of Lot Coverage. All buildings, including accessory buildings, on any lot shall not cover more than fifty (50) percent of the lot area.

4. Streets. Streets used for general circulation around the courtyard lots shall be public or private, as requested by the developer.

5. Alleys. Alleys, where provided, will generally serve the rear or side portion of a lot. Alleys will be private, located within a minimum eighteen (18) foot wide private easement that will be maintained by the community association. Alley pavement shall be a minimum of fourteen (14) feet in width.

6. Frontage. All buildings shall front on a street, open space or courtyard. Street frontage for dwelling units shall not be required provided there is access to a public street via an easement or right-of-way and that such dwelling unit fronts on an alley or courtyard.

7. Garages. Garages shall be accessed from the alleys. Alleys and driveways shall be hardscaped.

8. Focal Point (Courtyard). A minimum of 8,000 square feet of required Open Space shall serve as a focal point for the Lot Type A lots as generally depicted on the Master Plan. Part of these areas shall be hardscaped and have benches or other amenities that accommodate and facilitate gatherings. The focal points shall be developed concurrent with development of the Lot Type A lots.

B. Lot Type B

All Lot Type B lots shall comply with the Zoning Ordinance requirements for Residential R-15 Zoning District, except as follows:

1. Lot Area. Each lot shall have a lot area of not less than 20,000 square feet.

2. Front Yard. The front yard shall be a minimum of thirty (30) feet in depth for lots not located on a cul-de-sac.

Woodle Property
TEXTUAL STATEMENT
October 10, 2006
Revised January 11, 2007
Revised February 21, 2007
Revised March 1, 2007
Revised March 2, 2007
Revised March 6, 2007
Revised March 7, 2007

This application contains one (1) exhibit (Exhibit A: Master Plan) titled "Woodle Property," identifying Lot Types A and B and Open Spaces, prepared by Timmons Group and last revised on March 1, 2007.

I. Rezone: Rezone 38.8 acres (the "Property") from A to R-15, to permit residential uses permitted in the R-15 zoning district, and Conditional Use Planned Development ("CUPD") to permit exceptions to Ordinance requirements as set forth below.

II. General Conditions: To accommodate the orderly development of the Property, Lot Types A and B and Open Spaces (the "Tracts") shall be generally located as depicted on the Master Plan, but their location and size may be modified (such as moving the location of a Tract boundary) so long as the Tracts generally maintain their relationship with each other and any adjacent properties. A plan for Tract modification shall be submitted to the Planning Department for review and approval. Such plan shall be subject to appeal in accordance with the provisions of the Zoning Ordinance for Site Plan appeals.

III. Requirements and Exceptions for all Tracts

A. Parking. On-street parking shall generally be permitted on all public streets and around the courtyard areas. Where on-street parking is permitted, those spaces shall be counted towards the required number of parking spaces for the lots. Any private garage parking or other type of enclosed and/or covered parking area shall be counted toward the calculation of the required parking spaces.

B. Sidewalks. Sidewalks shall be located on both sides of public streets and around the courtyard areas and shall facilitate pedestrian access within the project.

C. Street Trees. Street trees shall be planted or retained along each side of all public streets and around the courtyard areas, except that if any building fronts on open space, passive recreation areas or parks, street trees shall not be required. Street trees will be maintained by the community association and not necessarily incorporated into the public right-of-way.

D. Open Space. A minimum of five (5) acres of the Property shall be located within recorded open space.

IV Requirements and Exceptions for Specific Tracts.

A. Lot Type A – Courtyard Lots

1. Front, Side, Corner side and Rear Yards. No minimum.

2. Lot Area and Width. Each lot shall have a lot area of not less than 9,500 square feet and a lot width of not less than thirty (30) feet.

3. Percentage of Lot Coverage. All buildings, including accessory buildings, on any lot shall not cover more than fifty (50) percent of the lot area.

4. Streets. Streets used for general circulation around the courtyard lots shall be public or private, as requested by the developer.

5. Alleys. Alleys, where provided, will generally serve the rear or side portion of a lot. Alleys will be private, located within a minimum eighteen (18) foot wide private easement that will be maintained by the community association. Alley pavement shall be a minimum of fourteen (14) feet in width.

6. Frontage. All buildings shall front on a street, open space or courtyard. Street frontage for dwelling units shall not be required provided there is access to a public street via an easement or right-of-way and that such dwelling unit fronts on an alley or courtyard.

7. Garages. Garages shall be accessed from the alleys. Alleys and driveways shall be hardscaped.

8. Focal Point (Courtyard). A minimum of 8,000 square feet of required Open Space shall serve as a focal point for the Lot Type A lots as generally depicted on the Master Plan. Part of these areas shall be hardscaped and have benches or other amenities that accommodate and facilitate gatherings. The focal points shall be developed concurrent with development of the Lot Type A lots.

B. Lot Type B

All Lot Type B lots shall comply with the Zoning Ordinance requirements for Residential R-15 Zoning District, except as follows:

1. Lot Area. Each lot shall have a lot area of not less than 20,000 square feet.

2. Front Yard. The front yard shall be a minimum of thirty (30) feet in depth for lots not located on a cul-de-sac.

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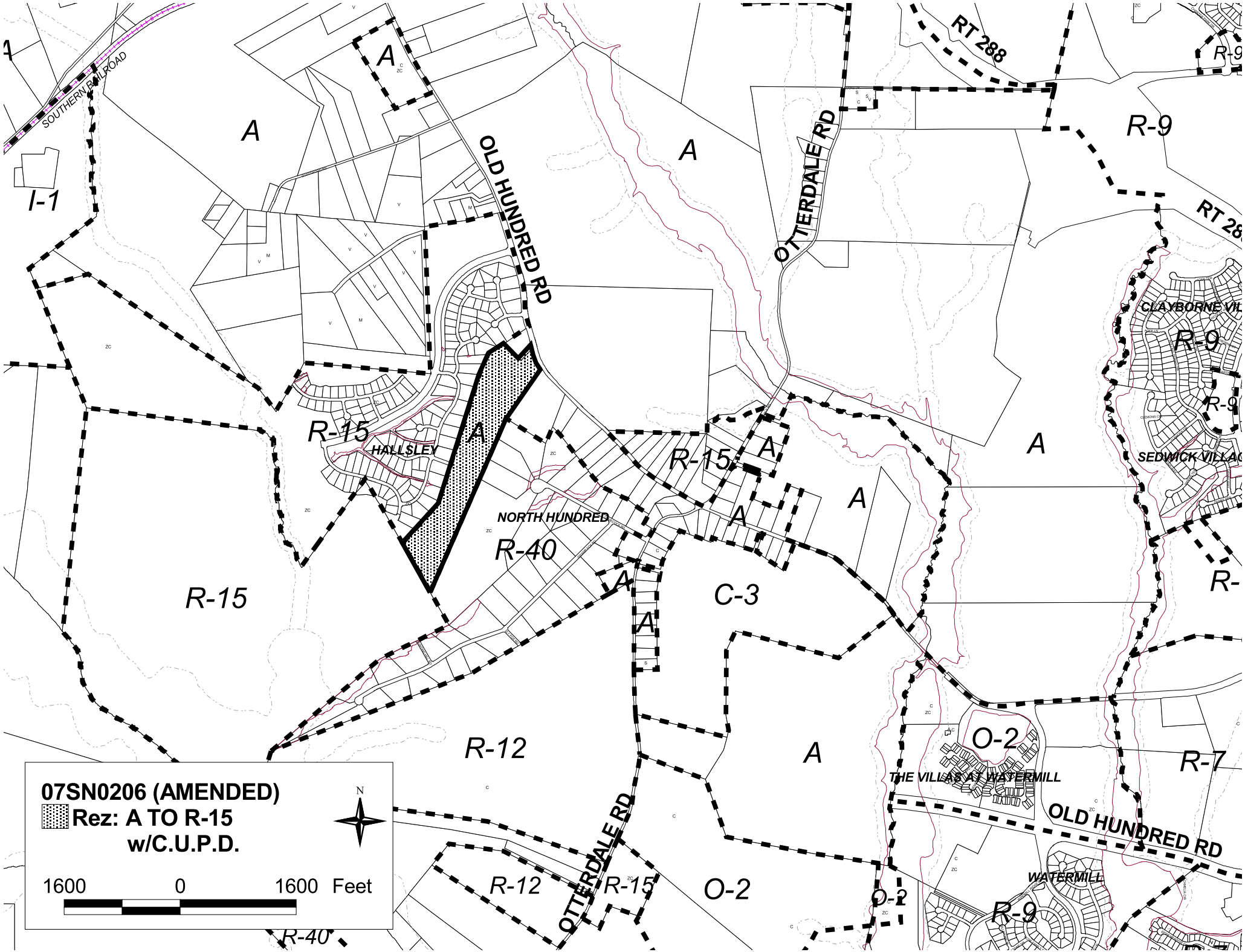
07SN0206 (AMENDED)
Rez: A TO R-15
w/C.U.P.D.
N
1600 0 1600 Feet
SOUTHERN RAILROAD
OLD HUNDRED RD
OTTERDALE RD
RT 288
HALLSLEY
NORTH HUNDRED
CLAYBORNE VIL
SEDWICK VILLAG
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WATERMILL
A
I-1
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Woodle Property

Exhibit A: Master Plan

March 1, 2007 Not to Scale

TIMMONS GROUP

YOUR VISION ACHIEVED THROUGH US

1-9070NSLO