

REZ-2025-103169

April 2, 2026

1. **Concept Plan.** The Property must be developed in general conformance with the concept plan entitled “4810, 4796, 4794 , 4744 AND 4790 POUNCEY TRACT ROAD” prepared by Youngblood, Tyler & Associates P.C. dated April 2, 2026 (see case file) and attached hereto (the “Concept Plan”). The exact locations, footprints, configurations, size, and details of the lots, drives, roads, buildings and other improvements shown on the Concept Plan are illustrative and are subject to change and may be updated from time to time as required for final engineering design, compliance with governmental regulations or as otherwise approved at the time of subdivision or plan of development review of the Property.
2. **Density.** There must be no more than 74 dwelling units developed on the Property.
3. **Architecture.** To minimize visual repetition of buildings, no two adjacent buildings must have the same identical individual elevation sequence pattern across the front of the building. All dwelling units must have a front porch or stoop. The side of each end unit must include at least two (2) windows and the rear of each dwelling unit must include at least two (2) windows. Each building must be no more than seven (7) units wide. Dwelling Units must be similar to the style and design and generally in conformance with the renderings entitled “Pouncey Tract Residential Condominium Elevations” prepared for Bacova Development Company, LLC and dated March 19, 2026, unless otherwise approved at the time of plan of development review (the “Elevations”).
4. **Home Size.** Any dwelling unit constructed on the Property must have a minimum of 2,250 square feet of finished floor area.

5. **Building Materials**. All buildings on the Property must have exposed exterior walls (above grade and exclusive of trim) of brick, brick veneer, stone, stone veneer, hardi-plank, or a combination of the foregoing, all as generally shown on the Elevations, unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development review.
6. **Foundations**. The exposed exterior portions of all foundations below the first floor level must be finished with brick, brick veneer, stone, stone veneer, or cultured stone. On the front, side and rear elevations of each building, there must be a minimum of twelve (12) inches of brick, brick veneer, stone, stone veneer, or cultured stone visible above grade. For reasons associated with the required site grading, the requirements of this proffer may be modified or waived by the Director or Planning for individual side or rear façades.
7. **Building Orientation**. The easternmost buildings on the Property along Pouncey Tract Road must have front building façades and entrances facing Pouncey Tract Road.
8. **Sound Suppression Measures**. Shared walls between dwelling units must be constructed with a minimum certified sound transmission class (STC) of fifty-four (54). A cross-section detail, reviewed and approved by a certified architect or engineer as to the methodology accomplishing the STC, must be included in the building permit application.
9. **Foundation Planting**. Foundation plantings must be provided pursuant to Section 24-5309 of the County Zoning Ordinance.
10. **Sidewalks**. A sidewalk a minimum of four (4) feet in width must be provided on at least one side of each street. A sidewalk a minimum of five (5) feet in width must be installed or refurbished in or adjacent to the right-of-way for Pouncey Tract Road parallel to the boundary line of the Property, unless otherwise prohibited by law or government regulation.
11. **Entrance Feature**. An entrance feature from Pouncey Tract Road into the Property must be constructed of either full standard brick or stone or a combination thereof consistent with the signage as required from Case C-9C-11.

12. **Lighting**. Uniform pedestrian scale residential lighting must be provided within the streets or lots within the Property. Such lighting must be nonglare and decorative in style similar to the lighting provided as part of REZ2021-00015. A lighting plan providing for such lighting must be submitted and reviewed at the time of Plan of Development or subdivision review of the Property.
13. **Trash and Recycling**. There must be no central trash or recycling receptacles.
14. **Heating Ventilation and Air Conditioning (HVAC) Units**. Heating ventilation and air conditioning equipment must be screened from the property lines at ground level by landscaping or low maintenance material, as approved by the Planning Department.
15. **Protective Covenants**. Prior to or concurrent with the final approval of the initial subdivision or plan of development for the Property, a document setting forth covenants (the "Covenants") must be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of the Property and establishing an owners' association (the "Association"). The Association may be a part of a larger association encompassing more property than just the Property. The Covenants must provide for high standards of uniform maintenance of individual sites, common areas, open space, landscaping and private streets. The Association must establish uniform rules related to the standards for approval by the Association of improvements within the Property, including, but not limited to, construction of any buildings and other structures and signage. The Covenants must also prohibit boat, boat trailer and recreational vehicle storage on the Property.
16. **Buffer and Landscaping Requirements**. Any buffer within the Property required herein must be natural and landscaped and may include supplemental plantings, utilities, berms and/or fencing and other purposes as approved at the time of landscape plan review. Roads, sidewalks, utility easements (including drainage), common owned fencing/walls adjacent to any roads or drives, and signage must be permitted within such buffer; provided, any such road or new utility easements must be extended generally perpendicular through such buffer unless otherwise approved at the time of subdivision or plan of development review. All buffers, whether in common area or a lot, must be maintained by the Association

- a. **Pouncey Tract Road Buffer**. The area of the Property fronting on Pouncey Tract Road and shown on the Concept Plan as “35’ BUFFER” must be planted at a minimum to the level of a transitional buffer 35. The buffer must include fencing and berms, similar to the plans depicted on Exhibits 9 & 10 from case C-9C-11 (see case file), subject to revision as approved at the time of subdivision and/or Plan of Development review.
 - b. **Rear Yard Setback**. The areas of the Property adjacent to Agricultural (A-1) zoned properties and shown on the concept plan as “30’ Rear Yard Setback” must be planted at a minimum to the level of transitional buffer 10.
17. **Road Standards**. Prior to the issuance of any final Certificate of Occupancy, the applicant must provide the Planning Department with certification from a licensed engineer that the roadways within the project were constructed according to the approved plan of development, and in compliance with Henrico County road design standards and specifications (except as to pavement width, turning radii, cul-de-sac dimensions, curb type, and underdrains), to include proper compaction of the sub-base soils, utility trenches, base stone, and asphalt surface. The internal roadways must be private and must be maintained by the Association.
18. **Driveways**. All driveways must be constructed of exposed aggregate, concrete, stone, asphalt, pre-cast pavers or other similar materials approved by the Director of Planning. The termination of any alleys must be screened from view at the adjoining boundary line by landscaping and either a building or masonry wall as required at the time of Plan of Development review.
19. **Hours of Construction**. The hours of exterior construction (such as earth moving, grading or land clearing activities) including operation of bulldozers and other earthmoving equipment, must be between 7:00 a.m. and 7:00 p.m. (or dusk, whichever occurs first), Monday through Friday, and 8:00 a.m. and 5:00 p.m. (or dusk, whichever occurs first) on Saturday, and no construction must be permitted on Sunday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. Signs, in both English and Spanish, stating the above referenced provisions must be posted and maintained at all entrances to the Property prior to any land disturbances activities thereon.

20. **Construction Access.** Construction traffic must only enter and exit the Property at access points off of Pouncey Tract Road.
21. **Underground Utility Lines.** All proposed utility lines on the Property must be installed underground, except for existing utilities, junction boxes, meters, utility lines in wetlands areas, and utility lines or structures required to be or typically installed above ground by the utility company.
22. **Amenities.** Recreational amenities will include, at minimum, gathering or open areas, as generally shown on the Concept Plan as “Pocket Park”, unless otherwise approved at the time of subdivision review. A minimum of two (2) of the following improvements will be provided within the Pocket Park: one or more benches or other outdoor furniture, a gazebo or pavilion, fire pit, landscape patio area, dog park, grilling station, community garden, pet waste station or other similar improvements as approved at the time of subdivision review.
23. **Recreational Facility.** All residents must have the right to use, subject to reasonable rules and regulations, the recreational facility provided as part of Case C-9C-11, subject to the Bacova Property Owners Association.
24. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, must not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.