

## TERMS AND CONDITIONS ARCADIA

### APPLICABLE TO ALL

1. Pattern Book. The Property shall be developed in general conformance with the illustrations and information set forth in the Arcadia Proposal For Development by East West Communities dated Nov 11th (the "Pattern Book") and filed herewith (see case file), unless otherwise requested and specifically approved at the time of Plan of Development or Subdivision, which illustrations and information are conceptual in nature and may vary in detail.
2. Overall Density. There shall be no more than 1,000 dwellings developed on the Property, provided that no more than 550 of such dwellings shall be townhomes and condominiums and no more than 192 of such dwellings shall be condominiums.
3. Road Certification. Prior to the issuance of the first permanent certificate of occupancy in a given phase of development, the Owner shall provide the Planning Department with certification from a licensed engineering firm that the private roadways within that phase of development were constructed according to the approved Plan of Development and in compliance with County private road design standards and specifications, to include proper compaction of the sub-base soils, utility trenches, base stone and asphalt surface, but excluding road widths and turning radii.
4. Pedestrian Access. A pedestrian access system shall be provided connecting the major project areas of the development, as generally shown on the Pattern Book.
5. Restrictive Covenants/Homeowners' Association. A document shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia setting forth controls on the development and maintenance of such portions of the Property as they are developed. In addition, there shall be an Owners' Association(s) that shall be responsible for the enforcement of the restrictive covenants, including, but not limited to, maintenance of the common areas.
6. Road Improvements.

#### Willson Road Improvements

- a. All right-of-way necessary on the West Property, but not to exceed forty feet as measured from the existing centerline, to allow the portion of Willson Road adjoining the West Property to be an eighty (80) foot right-of-way shall be dedicated to the County by the then Owner of the West Property prior to the certificate of occupancy for the first building on the West Property. If such property is not used by the County for the widening of Willson Road, the dedicated portions of the West Property shall be returned to the developer.
- b. All right-of-way necessary on the East Property, but not to exceed forty feet as measured from the existing centerline, to allow the portion of Willson Road adjoining the East Property to be an eighty (80) foot right-of-way shall be dedicated to the County by the then Owner of the East Property prior to the certificate of occupancy for the first building on the East Property. If such property is not used by the County for the widening of Willson Road, the dedicated portions of the East Property shall be returned to the developer.

c. Pursuant to the recommendations set forth in the Nelson Farm Development – Traffic Impact Analysis prepared by Kimley-Horn, dated August, 2022 and based upon the assumptions provided by the County Department of Public Works and VDOT, the developer, subject to VDOT and County approval, shall construct and dedicate to the County or to the State at no cost, the following Willson Road improvements:

1. Upon Application and subject to County approval, the developer shall widen Willson Road with required transitions from the northern project entrance to the southern entrance along the West property frontage, allowing for single dedicated right and left turn lanes into the two (2) project driveways along Willson Road. This road widening shall be substantially complete prior to the Certificate of Occupancy for the first building on the West side of the Property.
2. Upon Application and subject to County approval the developer shall widen Willson Road with required transitions from the northern project entrance to the southern entrance along the East property frontage, allowing for single dedicated right and left turn lanes into the one (1) project driveway along Willson Road. This road widening shall be substantially complete prior to the Certificate of Occupancy for the first building on the East side of the Property.
3. A traffic signal at the intersection of Willson Road and South Laburnum Avenue as shown in Figure 1 in the Traffic Impact Analysis. Materials will be ordered when meeting 90% of the 8-hour signal warrant criteria, and the signal will be constructed and operational within 6 months of meeting the 8-hour signal warrant criteria. A northbound right turn lane will be constructed within the existing right-of-way with a 50' taper and 50' storage on Willson Road at South Laburnum Avenue generally shown in Exhibit A and will be substantially complete within 6 months of meeting the 8-hour signal warrant criteria. The existing westbound left turn lane on South Laburnum Avenue at Willson Road will be extended to a 200 foot storage and 100 foot taper, and be substantially complete within 6 months of meeting the 8-hour signal warrant criteria.
4. A single right turn lane southbound on Willson Road at the intersection of Route 5, shown in Figure 1 in the Traffic Impact Analysis. The installation of this single right turn lane will be constructed prior to the Certificate of Occupancy for a combined 400 single family homes and 500 townhome and condominium units, and meeting the right turn lane warrant criteria.

7. Storm Water Management Facilities. Any above-ground wet stormwater management facilities located on the Property shall be designed and utilized as a water feature amenity and/or designed and landscaped to make it an integral part of the development and shall be aerated.

8. Burning on Site. There shall be no burning of construction debris, materials or vegetation on the Property, except to provide warmth to workers using temporary drums not exceeding fifty-five (55) gallons.

9. Satellite Dishes. Satellite dishes larger than that permitted by Federal law without restriction shall be prohibited on the Property.

10. Recreation Facilities. A minimum of 84 acres of passive and active recreational area shall be provided for the Property and may include BMP's, RPA's, wetlands, buffers, pocket parks, central greens, clubhouse and pool area, etc. A stand-alone clubhouse for unit owners and guests shall be provided for the dwelling units and shall include interior and exterior gathering spaces such as outdoor lounging area, kitchen and meeting or seating area, collaborative workspaces or a fitness center to include services such as but not limited to cardio, weights, yoga and group fitness. The clubhouse will also include a great room that can be reserved for social activities. Other recreational facilities for use by unit owners and guests may include central park, walking and biking trails, pool, community gardens, etc, as generally shown on the Pattern Book.

11. 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.

#### APPLICABLE TO MULTIFAMILY CONDOMINIUMS

12. Square Footage. One bedroom units shall be a minimum of 900 square feet of finished floor area in size, two bedroom units shall be a minimum of 900 square feet of finished floor area in size, and three bedroom units shall be a minimum of 1000 square feet of finished floor area in size.

13. Architecture. Buildings shall be in general conformance with the architectural themes displayed in the Pattern Book (see case file), which illustrations and information are conceptual in nature and may vary in detail.

14. Exterior Materials. Buildings shall have exposed exterior front, rear and side walls (above finished grade) primarily of brick, cementitious or composite-type siding, vinyl siding, stone, marble or granite, or a combination of the foregoing or other material(s) of similar quality. No building shall be covered with or have exposed to view any unadorned or unfinished concrete block. Soffit and exterior ceiling materials shall be constructed using non-combustible material.

15. Sound Suppression. Interior dwelling unit separation walls between units, floor/ceiling assemblies between units, and/or floor/ceiling assemblies between office/commercial and residential units in buildings shall be designed to have a minimum sound transmission coefficient rating of 54 as evidenced by a cross-sectional detail, reviewed and approved by a certified architect or engineer as to the approved assembly accomplishing the sound coefficient rating, which shall be included in the building permit application.

#### APPLICABLE TO MULTIFAMILY TOWNHOMES

16. Square Footage. Townhomes shall be a minimum of 1,200 square feet of finished floor area in size.

17. Architecture. Townhome buildings shall be in general conformance with the architectural themes displayed in the Pattern Book (see case file), which illustrations and information are conceptual in nature and may vary in detail. Generally, in order to minimize visual repetition of buildings, no two adjacent Townhome buildings shall have the same identical individual elevation sequence pattern across the front of the building. The exception to this rule will apply to multifamily housing: townhouses lining the grand boulevard as well as those townhouses encircling the community's clubhouse may maintain a consistent façade. The same holds true for the condominium court.

18. Exterior Materials. Townhomes shall have exposed exterior front, rear and side walls (above finished grade) primarily of brick, cementitious or composite-type siding, vinyl siding, engineered wood siding, stone, marble or granite, or a combination of the foregoing or other material(s) of similar quality. Slab Construction: If the dwelling unit is constructed on a slab, brick or stone shall be employed around the base of the dwelling unit a minimum twelve (12) inches above grade as to give the appearance of a foundation. If not constructed on slab, all exposed portions of the foundation of each dwelling unit shall be faced with brick, stone, or similar quality veneer. No building shall be covered with or have exposed to view any unadorned or unfinished concrete block. Soffit and exterior ceiling materials shall be constructed using non-combustible material.

19. Sound Suppression. Interior dwelling unit separation walls between units in Townhomes shall be designed to have a minimum sound transmission coefficient rating of 54 as evidenced by a cross-sectional detail, reviewed and approved by a certified architect or engineer as to the approved assembly accomplishing the sound coefficient rating, which shall be included in the building permit application.

#### APPLICABLE TO ALL SINGLE-FAMILY DETACHED HOMES

20. Square Footage. Single Family Homes shall be a minimum of 900 square feet of finished floor area in size.

21. Architecture. Homes shall be in general conformance with the architectural themes displayed in the Pattern Book (see case file), which illustrations and information are conceptual in nature and may vary in detail. To minimize visual repetition of buildings, no two adjacent homes shall have the same identical individual elevation sequence pattern across the front of the building

22. Exterior Materials. Single-Family detached homes shall have exposed exterior front, rear and side walls (above finished grade) primarily of brick, cementitious or composite-type siding, vinyl siding, engineered wood siding, stone, marble or granite, or a combination of the foregoing or other material(s) of similar quality. Slab Construction: If the dwelling unit is constructed on a slab, brick or stone shall be employed around the base of the dwelling unit a minimum twelve (12) inches above grade as to give the appearance of a foundation. If not constructed on slab, all exposed portions of the foundation of each dwelling unit shall be faced with brick, stone, or similar quality veneer. No building shall be covered with or have exposed to view any unadorned or unfinished concrete block. Soffit and exterior ceiling materials shall be constructed using non-combustible material.

APPLICABLE TO COMMUNITY BUILDING

23. Amenities. Prior to the issuance of 450 certificates of occupancy for owner-occupied residences, a Clubhouse for use by homeowners shall be provided and include, at a minimum, a business center, meeting space and a swimming pool.

24. Central Park. At the option of the developer and the Arcadia HOA the Central Park depicted on the Eastern Side of Willson Road may be converted to a professionally managed urban farm and/or community garden following a model similar to CSA Farm Share (Community Supported Agriculture).

Exhibit A