



# Proffers for Conditional Rezoning

## County of Henrico, Virginia

4301 E. Parham Road, Henrico, Virginia 23228  
 Henrico Planning Web Site: <http://www.henrico.us/planning>

Mailing Address: Planning Department, P.O. Box 90775, Henrico, VA 23273-0775 Phone (804) 501-4602 Facsimile (804) 501-4379

✓ Original      Amended      Rezoning Case No. RE24024  
1000543      Magisterial District Tuckahoe

Pursuant to Section 24-121 (b) of the County Code, the owner or duly authorized agent\* hereby voluntarily proffers the following conditions which shall be applicable to the property, if rezoned:

[Signature]  
 Signature of Owner or Applicant / Print Name

3/14/24  
 Date

\*If applicant is other than Owner, the Special Limited Power of Attorney must be submitted with this application

1. Pattern Book. The Property must be developed in general conformance with the details, standards, illustrations, and information set forth in the pattern book entitled "REYNOLDS CROSSING Pattern Book", dated March 14, 2024, and prepared by Baskervill (the "Pattern Book"). The Build-Out Plan provided in the Pattern Book will be deemed the "Concept Plan". All illustrations and information in the Pattern Book are conceptual in nature and may vary in detail. If the development is not in general conformance with the Pattern Book, deviations may be approved in any subsequent Plan of Development ("POD"), subdivision approval, or any variations permitted by the Director of Planning upon the Director of Planning finding that the variations are generally in keeping with the spirit and concept of the Pattern Book.

2. Uses.

(a) All uses permitted in the UMU-PD district found in Section 24-4205 are allowed except for the following which are prohibited on the Property:

- (1) Gun shop, sales, and repair.
- (2) Adult uses.
- (3) Alternate lending institution.
- (4) Flea markets.
- (5) Billboard signs.
- (6) Light manufacturing.

(b) Residential uses are permitted on the Property, subject to the following:

- (1) At least three (3) residential housing types are required on the Property and may include rental residential multi-family buildings, rental or for-sale upper story dwellings over commercial and office uses, and condominiums for sale. If Zoning



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Ordinance Section 24-3507.C.2 is revised to reduce the number of required housing types, then the new number of housing types will apply herein.

- (2) Density limits for each individual area of the Property (based on the "PHASING PLAN" in the Pattern Book, each an "Area") will be consistent with the density calculations set forth in the Pattern Book which may be revised as approved by the Director of Planning at the time of POD review, provided the overall permitted density on the entirety of the Property is not exceeded. Any density increases allowed for Environmentally Friendly Design Incentives set out in Division 9 of Article 5 in the Zoning Ordinance can be applied to individual Areas as provided at the time of POD and based on the overall acreage of the Property. No more than five percent (5%) of the rental dwelling units in any Area can have three (3) or more bedrooms.

3. Building Standards. Development of buildings on the Property is subject to the following building standards, unless otherwise approved at the time of POD review:
- (a) Existing buildings located on the Property are permitted by right as they currently exist, including with respect to, but not limited to, existing architecture, form, massing, setbacks, road frontage, lighting, parking, screening and landscaping, building height and size, parcel size and any other building standards set forth in the Pattern Book or the Code. Any expansion of an existing building will be in general conformance with the standards set forth in the Pattern Book and so long as the architecture is in conformance with the existing architecture and form of that building or the Pattern Book.
  - (b) New buildings constructed on the Property must be in general conformance with the illustrations incorporated in the Pattern Book.
  - (c) The illustrations in the Pattern Book are conceptual in nature and may vary in detail. In the event a proposed building is not in general conformance with the Pattern Book, deviations may be approved at the time of any POD review, subdivision approval, or any other time permitted by the Director of Planning upon the Director finding that the deviations are generally in keeping with the spirit and concept of the illustrations shown in the Pattern Book.
4. Parking Plan. An updated parking study, based on the required parking and shared parking set forth in the Zoning Ordinance, must be included with each POD submission. Each POD must identify the location and means of providing alternative parking areas, if needed, during redevelopment/construction.
5. Private Streets. Following construction of any new private street, the Applicant must provide the County Planning Department with certification from a licensed engineer that the street was constructed according to the applicable Concept Plan or POD, and in compliance with County Road design standards and specifications (except as to pavement width and turning radii). Such





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construction must include proper compaction of the subbase soils, utility trenches, base stone, and the base asphalt surface.

6. Blocks and Internal Streets.
  - (a) A sidewalk or multi-use trail will be provided along the Property's entire frontage on Forest Avenue.
  - (b) Except for the existing commercial buildings, for any block length that exceeds 800 feet in length, a street or pedestrian way must be provided mid-block such that no more than any continuous length exceeds 600 feet without a street or pedestrian way.
  - (c) If the existing commercial buildings are redeveloped/reconstructed such that a mid-block street or pedestrian way is feasible, a mid-block street or pedestrian way must be provided.
  - (d) Internal streets not shown in the Pattern Book but developed at the time of POD approval must conform to one of the Streetscape Sections provided in the Pattern Book or as otherwise approved by the Director of Planning.
  - (e) At the time of POD, road widths shown in the Pattern Book may be reduced if approved by the Fire Department and the Director of Planning. Such reductions can be accomplished with the use of midblock hardscapes or other methods to create the twenty-four (24) foot clearance needed for fire apparatus to serve tall buildings.
7. Parking Structures. Parking structures that are not faced or wrapped with commercial, office, or residential uses, must be clad or screeded in a manner that is consistent with the Pattern Book.
8. Residential Recycling Facilities. Recycling facilities must be provided for the residential development for so long as the County either provides or sponsors some form of recycling service. Outside recycling and refuse collection area(s) provided must comply with the requirements set forth in Section 24-4428 of the Zoning Ordinance and as shown in the Pattern Book.
9. Emergency Communication Systems. The Applicant must install a fire command center and emergency radio communication equipment within any new building exceeding sixty (60) feet in height to allow for adequate public safety and radio coverage within and between the buildings. A communications consultant must certify such equipment as compatible with the County's emergency communications systems within ninety (90) days of the owner or tenant obtaining a Certificate of Occupancy ("C/O") for any such building. The County is permitted to perform communications testing within the buildings at any time.



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10. Fire Protection-Structured Parking. A three-inch (3") standpipe for fire protection must be provided within all structured parking at approximately 200-foot intervals or consistent with the standards of the Virginia Construction Code, whichever is more restrictive. The exact location of these improvements and any necessary deviations will be determined by the Division of Fire during POD review.
11. Fire Protection. All new structures, including parking structures, other than open, standalone parking garages, must be fully sprinkled for fire protection or consistent with the standards of the Virginia Construction Code.
12. Design Criteria and Standards. In addition to the following, the standards and examples set out in the Pattern Book apply to the Property. The location and design of the various elements listed (as appropriate) will be included at the time of POD review. Deviations may be approved by the Director of Planning upon the Director of Planning finding that variations in these standards are generally in keeping with the spirit and concept of the Pattern Book.
  - (a) Signage
    - (1) New signage must be consistent with the sign program set forth in the Pattern Book.
    - (2) Signs may be illuminated with internal lighting, external lighting, or a combination of both.
    - (3) Lighting for signs will be selected and installed to avoid glare of impair vision.
  - (b) Site Lighting
    - (1) New site lighting must be consistent with the lighting program set forth in the Pattern Book.
  - (c) Heating, Ventilation, and Air Conditioning ("HVAC")
    - (1) HVAC installed on roofs must be screened by roof or architecture features when viewed from the ground at the Property line.
    - (2) Ground mounted HVAC must be screened from view at the Property line with approved fencing or landscaping.
  - (d) Bicycle and Pedestrian Facilities.
    - (1) In addition to on-site bicycle parking facilities required by the Zoning Ordinance, each multifamily building with more than ninety (90) dwelling units must provide an enclosed bicycle storage area in the building or in the parking garage that has a bicycle parking capacity equal to at least five (5) percent of the number of residential units within the buildings.
    - (2) Crosswalks will be provided at key locations and clearly signed and visible for safe navigation.





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- (3) Traffic calming measures such as on-street parking, curb extensions/bump outs, changing surface material, texture, or color of street, intersections, and crossings will be provided to facilitate bicycle and pedestrian facilities and such measures will be determined at the time of POD.
- (e) Hours of Operation.
- (1) Commercial uses are limited to the hours of operation restriction for the B-2 zoning district, subject to additional hours approved by Provisional Use Permit.
- (2) All existing or future Provisional Use Permits that provide exceptions to such hours are exempt from this provision.
13. Vendor Areas. New areas of the Property may be designated at the time of POD for the preparation of food or beverages or the sale or display of merchandise conducted in an open area or structure. One or more individual vendors operating from stalls, stands, carts, vehicles, or other spaces which are rented or otherwise made available to such vendors are permitted. Such activities may include a market, sale of merchandise as part of a permitted festival or other similar special event, or the outdoor display or sale by a single food or beverage vendor, operated as an incidental part of retail activity regularly conducted from within a permanent building on the Property. Sidewalk widths adjacent to outdoor vending areas must not be reduced to less than five (5) feet, except to accommodate a permitted festival or other similar special event. Trash receptacles must be provided and conveniently located for each block that includes an outdoor vending area. Existing areas on the Property already approved and used for vendor display or outdoor seating are not required to meet the above referenced standards unless the areas are redeveloped or redesigned.
14. Phasing. The "PHASING PLAN" page of the Pattern Book contains the preliminary phasing plan (the "Phasing Plan") for the Property. The numerical references within the Pattern Book identify the various Areas of development. Any Area may be broken into multiple parts or reconfigured as approved at the time of POD review. The phasing of development of the Property does not have to follow the numerical sequence set out on the Phasing Plan. Notwithstanding where development may occur over time, the following improvements must be constructed as follows:
- (a) Common areas will be developed according to Pattern Book and Phasing Plan and will include several types of seating, shade, and public art function.
- (b) Construction or reconstruction of cross streets may be phased such that one side of the street may be completed with any required sidewalks and landscaping before the other side of the street is completed. The improvements required for the partial street improvements will be determined at the time of POD review.



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### 15. Tree Cover.

- (a) At the time of POD submittal for any portion of the Property, the Applicant will prepare an inventory of existing tree cover for that portion of the Property subject to such POD. For each subsequent POD, the tree cover for the Property will be updated.
- (b) The minimum tree cover on the Property must be at least five (5) percent of the Property and meet the standards set out in Section 24-5308 of the Zoning Ordinance. The minimum tree cover will be achieved upon completion of Area 4.
- (c) Additional elements to provide shade, reduce stormwater, and enhance streetscapes and the appearance of parking lots, will be provided and addressed at the time of POD review. These elements include, but are not limited to, the following:
  - (1) Sail Shades
  - (2) Trellises
  - (3) Street Trees
  - (4) Rain Gardens/Bio-Retention areas
  - (5) Planter Boxes
  - (6) Sidewalk Canopies and Awnings

16. 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.