



# 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. REZ2021-00005    Magisterial District Fairfield

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:

Andrew M Cordlin  
Signature of Owner or Applicant / Print Name

5/10/2021  
Date

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

CASE: REZ2021-00005

May 10, 2021

1. **Concept Plan.** The Property shall be developed in general conformance with the concept plans (3 sheets) entitled "Glenwood, Fairfield District, Henrico County, Virginia, Overall Plan, SHEET NO. C1", "Glenwood, Fairfield District, Henrico County, Virginia, Layout Plan (West), SHEET NO. C2", "Glenwood, Fairfield District, Henrico County, Virginia, Layout Plan (East), SHEET NO. C3", and "Glenwood, Fairfield District, Henrico County, Virginia, Details, SHEET NO. C4", each attached hereto, prepared by the Bay Companies and dated May 6, 2021 (see case file) and attached hereto (collectively, 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. **Buffer Requirements.**
  - a. **Overall.** Any buffer within the Property required herein shall be natural and landscaped, including supplemental plantings, signage, 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 shall be permitted within such buffer; provided, any such road or utility easements shall be extended generally perpendicular through such buffer unless otherwise approved at the time of subdivision or plan of development approval. All buffers, whether in common area or a lot, shall be maintained by the association applicable to the Property.



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- b. **Twenty-Five Foot Buffer.** The area shown on the Concept Plan as "25' BUFFER" shall be a minimum twenty-five (25) foot natural and landscaped buffer and planted at a minimum to the level of a transitional buffer 25. Such buffer shall be permitted to have decorative fencing or walls along Creighton Road.
    - c. **Ten Foot Buffer.** The area shown on the Concept Plan as "10' BUFFER" shall be a minimum ten (10) foot natural and landscaped buffer and planted at a minimum to the level of a transitional buffer 10. Such buffer shall be located in common area and not within a lot.
3. **Street Trees.** Street trees, a minimum caliper of 2 ½ inches at the time of planting, shall be planted along any street or on a lot adjoining the public right-of-way within the Property, at intervals of not more than 40 feet on center, unless otherwise approved at the time of subdivision or plan of development review. A conceptual landscape plan shall be developed and submitted for review and approval at the time of subdivision or plan of development review. Every lot with a dwelling unit shall have a minimum of one such tree planted in the front yard.
4. **Underground Utility Lines.** All utility lines on the Property shall be underground, except for existing utilities, junction boxes, meters, utility lines in wetlands areas, and utility lines required to be above ground by the utility company.
5. **Best Management Practices.** Best Management Practice structures shall be located outside of any landscaped buffer within the Property, except as a landscaping amenity or water related feature, or unless approved at the time of subdivision or plan of development review. Any wet pond best management practice structures shall include an aeration feature to move water within such structure.
6. **Protective Covenants.** Prior to or concurrent with the recordation of the initial subdivision plat approved for the Property, a document setting forth covenants (the "Covenants") shall be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia (the "County"), setting forth controls on the development and maintenance of the Property and establishing one or more owners' associations (the "Association"). All common amenities and common areas shall be maintained by the Association for the benefit of the owners, residents, tenants and their guests.
7. **Common Amenities.** Common amenities, including pedestrian areas, trails, walks, benches, pedestrian bridges, and other amenities shall be provided throughout the development to provide pedestrian connectivity and common areas throughout the entire



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project, all as generally shown on the Concept Plan. A pedestrian and amenity phasing plan shall be submitted for review and approval as part of the first subdivision or plan of development request for the Property. This plan shall include the design, material and location of pedestrian elements. Trails/walks within the Property shall be constructed of concrete, exposed aggregate concrete, asphalt, stone, pavers, or brick or soft surfaces such as mulch, pea gravel, boardwalks, crushed gravel, or loose stone. Common amenities shall be designed to include amenities that add high visual interest, such as, but not limited to: decorative paving units; decorative pedestrian-style lighting; benches; landscaped areas; plantings; bike racks; and other pedestrian elements.

8. **C-1 Conservation District.** Prior to filing the final subdivision plan, the Owner/Applicant shall apply to rezone such portions of the Property situated within the 100-year floodplain/special flood hazard area to a C-1 Conservation District. The location and limits of such portions of the Property shall be established by definitive surveys approved by the Department of Public Works.
9. **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, shall 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 7:00 p.m. (or dusk, whichever occurs first) on Saturday, 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 shall be posted and maintained at all entrances to the Property prior to any land disturbances activities thereon.
10. **Elevations/Architecture/Conceptual Site Plan.**
  - a. Various design elements will be incorporated to provide variety among individual units including, but not limited, to the following:
    - i. varying colors of brick, brick accents, and stone (including, but not limited to, keystones, soldier courses and accent coloring different from any main brick or stone coloring); and
    - ii. varying colors of siding, and varying window designs.
  - b. The exterior walls of all dwellings shall be constructed with brick, stone, dryvit, high-grade vinyl (a minimum of 0.044" nominal thickness as evidenced by manufacturer's printed literature), hardiplank or an equivalent, a combination thereof or such other materials approved by the Director of Planning.



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- c. All trim shall be of a low maintenance material.
  - d. All front steps shall be constructed of brick, concrete or such similar maintenance free material as approved by the County.
  - e. Development of dwellings on the Property shall be similar to the architectural appearance shown on the renderings on Exhibit B, dated January 13, 2021 (see case file), unless otherwise requested and specifically approved at the time of subdivision or plan of development review or later by the Director of Planning.
  - f. At least sixty-five percent (65%) of the single family dwellings shall have front elevations constructed with a minimum of thirty percent (30%) brick or stone.
  - g. At least thirty percent (30%) of the single family dwellings shall have covered front porches.
  - h. Any side façade facing a street right of way shall have at least two (2) windows except when the side façade includes a garage.
11. **Density.** There shall be no more than 291 single family detached dwelling units developed on the Property. At least 50% of the lots shall have a lot width of 70 feet or greater, 45% of the lots shall have a lot area of at least 9,000 square feet, and 25% of the lots shall be greater than 11,000 square feet. Such percentages shall be measured and achieved at development of 50% of the possible lots submitted for subdivision approval, at 75% of the possible lots submitted for subdivision approval, and 100% of the possible lots submitted for subdivision approval.
12. **Minimum House Size.** Any single family detached dwellings shall have a minimum of 1,400 square feet of finished floor area. Provided, however, no more than 25 dwellings shall be permitted to be a minimum of 1,350 square feet of finished floor area so long as such dwellings are located in the area shown on Sheet C3 of the Concept Plan.
13. **Foundations.** The exposed exterior portions of any exterior residence foundation below the first floor level which is visible above grade, shall be constructed of brick or stone (including veneer). All homes shall be built on a crawl space foundation, other than for garages and basements, provided for basements and tall crawl space foundations the foundation shall be permitted to step down along the sides and rear of the dwelling (a minimum of 24" of exposed brick or stone along the sides of the dwelling and a minimum of 12" of exposed brick or stone along the rear of the dwelling). There shall be a minimum vertical height of twelve (12) inches of brick, stone or stone veneer above grade utilized on garages to present the appearance of a foundation. Planting beds shall be constructed along the entire front elevation of a home, except for areas used for porches, garages and architectural features. For corner lots, planting



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beds shall also be constructed along the entire side elevation that faces the street, except for areas used for porches, garages, heating and cooling equipment and architectural features. The planting beds shall contain landscaping consisting primarily of shrubs and ornamental ground coverings and plantings.

14. **Chimneys and Cantilevered Features.** No chimneys or gas vent units shall be cantilevered. The exposed portions of all fireplace chimneys shall be of brick, stone, or siding similar to the exterior treatment of the dwelling. The exposed bases of all chimneys shall be of the same material as the dwelling foundation. Architectural features may extend beyond the facade if supported by decorative corbels.
15. **Driveways.** All driveways shall be constructed of asphalt, concrete, exposed aggregate material or pavers made of brick, stone or concrete.
16. **Lighting.** A lighting fixture shall be provided by the home builder on the front yard of each lot no greater than ten (10) feet from the front boundary line, individually connected to each home, which fixture shall not exceed seven (7) feet in height above grade level. Lighting shall be non-glare, decorative in style, and residential in character.
17. **Yards.** All front yards shall be sodded, exclusive of mulched flowerbeds and landscaping. An irrigation system shall be provided in all front yards and street side yards on corner lots.
18. **Sidewalks.** A four foot wide sidewalk will be installed with a planting strip, a minimum of two (2) feet, between the sidewalk and the curb of any public street. This sidewalk shall be installed along at least one side of all public streets within the subdivision. There shall be a sidewalk connection at each of the entrances into the project to the sidewalk along Creighton Road.
19. **Garages.** All single family detached units will have a minimum of a one (1) car garage either attached or detached. All garages on corner lots shall load from the side or rear of the home. All front and side loaded garages shall have an upgraded garage door, which have a minimum of two (2) of the following enhanced features, windows, raised panels, decorative panels, arches, hinge straps or other architectural features on the exterior that enhance the entry. Flat panel garage doors are prohibited. No two homes adjoining each other side by side shall have identical design elements on their front loading garage doors. The exterior walls of any detached garage shall be constructed with the same material as the dwelling on that lot. Any areas over the garage doors exceeding four (4) feet in height will include either a decorative



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gable vent or vinyl trim board to break up the visual mass.

20. **Road Improvements.** The following road improvements and dedications shall be made by the applicant as required by the County at the time of any Plan of Development or subdivision review, unless otherwise approved by the Director of Public Works:
  - a. Forty (40) feet of right-of-way on the west side of Creighton Road, measured from the centerline of that part of Creighton Road immediately adjoining the Property, shall be dedicated to the County. Should any of the dedicated right-of-way not be used for a new road within thirty (30) years of the date of the dedication, title to the dedicated property will revert to the applicant or its successors in interest.
  - b. Creighton Road shall be widened to the width of twenty (20) feet from the centerline of that part of Creighton Road immediately adjoining the Property.
  - c. Right turn lanes shall be provided off of Creighton Road at each entrance into the development.
  - d. Subject to obtaining all required governmental approvals and permits, a sidewalk shall be constructed along Creighton Road immediately adjoining the Property pursuant to current County road standards and specifications for sidewalks.
21. **Entrance Features.** At least one of the entrances to the property from Creighton Road shall be complemented with landscaping and a monument entrance feature with decorative fencing consistent with the features shown as "MONUMENT SIGN DETAIL" on Sheet C4 of the Concept Plan. All other entrances to the Property from Creighton Road shall be complemented with landscaping and a monument entrance feature with decorative fencing consistent with the features shown as either "MONUMENT SIGN DETAIL" or "FENCE SIGN DETAIL" on Sheet C4 of the Concept Plan.
22. **Compliance Certification.** Upon request by the Director of Planning, the Applicant shall provide the County with the necessary calculations that illustrate that the dwellings and lots constructed on the Property are in compliance with all of the allowable and required percentages set forth in these proffers.
23. **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.