



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. Rez 2022-00057

Magisterial District Varina

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], Mark J Krowenthal Date 1/21/2022
Signature of Owner or Applicant / Print Name

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

CASE REZ2021-00057

January 21, 2022

- Concept Plan.** The Property shall be developed in general conformance with Exhibit A, attached (see case file) entitled Highland Woods Expanded Schematic Design, prepared by Commonwealth Architects and Cite Design, and dated May 2021 (revised January 2022) (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.
- Density.** No more than 34 Townhome units shall be developed on the Property.
- Minimum Finished Floor Area.** The minimum finished floor area for any two (2) bedroom Townhome unit shall be 976 square feet. The minimum finished floor area for any three (3) bedroom Townhome unit shall be 1360 square feet.
- Townhome Architecture.** 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. All Townhome units shall have a front porch or stoop. The side of each Townhome end unit shall include at least two (2) windows and the rear of each unit shall include at least two (2) windows.



Proffers for Conditional Rezoning (Supplemental)

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Townhomes constructed on the Property shall generally be in conformance with Exhibit B (see case file), and attached hereto and by this reference made a part hereof, unless otherwise approved by the Planning Commission at the time of Plan of Development review. Townhome unit entrance awnings shall be permitted as generally shown on Exhibit B.

5. **Units in a Row.** There shall be no more than 7 Townhome units developed in a row.
6. **Building Materials.** All buildings shall have exposed exterior walls (above grade and exclusive of trim) of stone, stone veneer, brick, hardi-plank, vinyl or a combination of the foregoing 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. A minimum of thirty (30) percent in the aggregate for each unit and an average of thirty-five (35) percent in the aggregate for all units, of the exterior portions of the front building wall surfaces of each building, excluding windows, doors, breezeways, gables and architectural design features, shall be of brick, stone or stone veneer construction.
7. **Sound Suppression Measures.** Walls between dwelling units shall 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, shall be included in the building permit application.
8. **Cantilevering.** There shall be no cantilevered chimneys or closets. Any first floor cantilevered items shall be limited to box or bay-type windows only, shall not extend beyond a maximum of twenty-four (24) inches from the predominant plane of the side of the home, nor shall the bottom be less than three (3) feet above the grade level below. Any usable floor space on the first floor such as breakfast nooks shall not be cantilevered. Items on the second floor such as balconies, decks, box or bay type windows may be cantilevered.
9. **Chimneys.** The exposed portions of all fireplace chimneys shall be of brick, stone, cultured stone, or siding similar to the exterior treatment of the building. The exposed bases of all chimneys shall be of the same material as the dwelling foundation. This proffer shall not apply to direct-vent gas fireplaces or appliances.



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10. **Foundations.** The exposed exterior portions of all foundations below the first floor level shall be finished with brick, stone or cultured stone. On the front, side and rear elevations of each building, there shall be a minimum of twelve (12) inches of brick, stone or cultured stone visible above grade. For reasons associated with required site grading, the requirements of this proffer may be modified or waived by the Director of Planning for individual side or rear facades.
11. **Garages.** All Townhome units shall be constructed with a minimum of a one (1) car attached garage.
12. **Driveways.** Driveways for each Townhome unit shall be constructed of either cobblestone, brick, asphalt, pre-cast pavers, concrete or other similar materials approved by the Director of Planning.
13. **Foundation Planting.** Each Townhome shall have foundation plantings in conformance with Sec. 24-5309 of the County Code.
14. **Sidewalks.** A continuous sidewalk a minimum of four (4) feet in width shall be provided in front of all buildings.
15. **Trash.** There shall be no central trash receptacles.
16. **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.
17. **Construction.** The hours of exterior construction activities, including operation of bulldozers and other earthmoving equipment shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Saturday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours and 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 disturbance activities thereon.



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18. **Roads.** Prior to the issuance of any Certificate of Occupancy, the applicant shall provide the Planning Department with certification from a licensed engineer that the roadways within the project were constructed according to the approved subdivision plan, 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 shall be private and shall be maintained by the Association.
19. **Streetscape Plantings.** Plantings, including street trees, shall be provided along the private streets and generally placed in front of every other unit and provided consistent with the Concept Plan, with specific plantings and spacing of such plantings determined at the time of POD, subject to conflicts with utilities, sightlines, and driveway areas.
20. **Lighting.** Pedestrian scale lighting shall be provided along sidewalks, streets and pedestrian areas of parking areas, as approved at the time of lighting plan approval.
21. **Amenities.** Common amenities, including a pergola, community green, and pool amenity area, as shown on the Concept Plan, and other amenities approved at the time of Plan of Development review, shall be provided throughout the development. A central mailbox unit will be provided in the project for mail service.
22. **Vacation of Beale Street Right-of-Way.** Within 60 days after the Board of Supervisors has granted approval of the rezoning of the Property, Applicant shall file an application with the County to vacate the portion of the Beal Street right-of-way as shown in the Concept Plan.
23. **Entrance Feature.** Any detached entrance sign shall be ground mounted monument-style and not exceed eight feet in height.
24. **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.