# Beach Road WW, LLC.

# Case No. 22SN0049 PROFFERS July 18, 2022

1. Conceptual Plan. The site shall be designed as generally depicted on the drawing titled “Beach Road WW LLC (Seth Properties) – Concept Plan” and attached hereto, to be further referred to as Exhibit A. The site uses shall be as described and shown on the Conceptual Plan. However, the exact location of buildings, drive areas and parking areas may be modified provided that the general intent of the Conceptual Plan is maintained with respect to location of uses, internal road network and pedestrian environment.
2. Utilities.
   1. Public water systems shall be used.
3. Road Cash Proffers.
   1. The applicant, sub-divider, or assignee(s) (the “Developer”) shall pay $9,400 for each single family detached dwelling unit to Chesterfield County for road improvements within the service district for the property (“Road Cash Proffer Payment”). Each Road Cash Proffer Payment shall be made prior to the issuance of a certificate of occupancy for a dwelling unit unless state law modifies the timing of the payment. Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the property, the amount paid in cash proffers shall be in lieu of or credited toward, but not be in addition to, any impact fees, in a manner determined by the County. Cash proffer payments may be reduced for the cost of road improvements provided by the applicant, sub-divider, or assignee(s), as determined by the Transportation Department.
   2. The Road Cash Proffer Payment made for each single family detached dwelling unit shall be designated for road improvements and/or sidewalks for the benefit of the Brandy Oaks neighborhood. Brandy Oaks Homeowners Association, Chesterfield Department of Transportation (CDOT), and Virginia Department of Transportation (VDOT) must collaborate to determine future improvements. Improvement examples include, but are not limited to:
      1. Installation of sidewalks along Brandy Oaks Blvd & Brand Oaks Rd.
      2. Widening of Brandy Oaks Blvd
      3. Road Striping
      4. Installation of a 4-way stop at Brandy Oaks Blvd. & Brandy Oaks Rd.
      5. Crosswalks
      6. Digital speed limit display signs
4. East/West Collector:
   1. In conjunction with recordation of the initial subdivision plat or within ninety (90) days of a written request by the Transportation Department, whichever occurs first, a seventy (70) foot wide right-of-way through the property for an “East/West Collector” shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. Dedication shall provided for the connections to both existing segments of Brandy Oaks Boulevard. The exact location of this right-of-way shall be approved by the Transportation Department.
   2. Prior to preliminary plat approval, an access plan for the East/West Collector shall be submitted to and approved by the Transportation Department. Vehicular access from the Property to the East/West collector shall conform to the approved access plan.
   3. The Developer shall be responsible for the following road improvements with modifications approved by the Transportation Department:
      1. 1) Construction of a two (2) lane road for the East/West Collector to VDOT Urban Collector standards (40 mph) from existing termini at both Brandy Oaks Boulevard intersections, through the Property, to the eastern Property line,
      2. 2) Construction of left and right turn lanes at the intersection of the north and south Brandy Oaks Boulevard extensions,
      3. 3) Construction of left and right turn lanes at each approved public road intersection, based on Transportation Department standards,
      4. 4) Construction of VDOT standard sidewalks along both sides of the East/West Collector, unless otherwise approved by the Transportation Department, and
      5. 5) Dedication of any additional right-of-way (and/or easements) required for the improvements noted above.
5. Density. A maximum of One Hundred and Fifty (150) units shall be permitted on the property.
6. Open Space/Pedestrian Areas.
   1. There shall be a minimum of One (1) pocket park on the property. This open space shall consist of uses such as a playground, open game field, gazebo, fire pit, benches, or any other outdoor amenities as approved by the Planning Director at the time of Site Plan Review.
7. Stormwater.
   1. Any stormwater management BMP or stormwater conveyance that outfalls towards existing recorded subdivision lots must be designed to discharge the post-developed 100-year storm at the 100-year pre-developed rate.
   2. No new impervious areas shall sheet flow into the Brandy Oaks and Donegal Glen subdivisions
   3. Drainage from the proposed development shall not discharge directly to the rear of lots of Section 8 and/or of Section 2 in the Brandy Oaks subdivision. Runoff towards these lots shall be collected and diverted to a receiving channel, as approved by the Department of Environmental Engineering at the time of plan review.
   4. For any drainage to Brandy Oaks subdivision, the post-development 2, 10, and 100-year peak discharge rates shall not exceed the pre-development 2, 10, and 100-year peak discharge rates, respectively
   5. For any drainage to Donegal Glen subdivision, the maximum post-development discharge rate for the 100-year storm shall be based on the maximum capacity of the existing facilities, and shall not increase the recorded and/or established downstream 100-year backwater and /or floodplain. On-Site detention of the post-development 100-year discharge rate to below the pre-development 100-year discharge rate measured at the Property boundary may be provided to satisfy this requirement.
8. Preservation Buffer. A 75’ preservation shall be retained along the rear of any lot(s) adjoining a lot within Brandy Oaks and Donegal Glen. This buffer shall be separate from any lot and managed by the Homeowners Association for such lots. Necessary stormwater management measures, such as ponds or BMPs, shall be permitted to be constructed within such preservation buffer and if a pond or BMP is required within the buffer, then additional trees and/or landscaping shall be installed to offset the impact from such pond or BMP. NO walking trails shall be constructed within such preservation buffer.
9. Entrance. Entrance signage to designate the neighborhood shall be placed at the entryways into the subdivision from Brandy Oaks Blvd. and Brandy Woods Rd.
10. Construction Traffic. All construction traffic for the development of the Property shall be permitted only from North Brandy Oaks Blvd. The public road connection to South Brandy Oaks Blvd. will not occur until the 50th building permit.
11. Development Standards. Exhibit B provides illustrative pictures of the architectural appearance for single family homes to be constructed on the Property. These illustrative pictures are conceptual in nature, and the final elevations may use a different type of architectural style, materials and architectural detailing from what is shown so long as the variety of the architectural elements represented by the illustrative pictures is maintained. In addition to any other requirements set forth herein, the Applicant shall comply with the following:
    1. Residential Design Elements.
       1. Driveways/Walkways.
          1. Driveways.
             1. All private driveways shall be constructed from concrete, exposed aggregate concrete, concrete pavers, stamped concrete, brick, or asphalt.
             2. Front walks: A minimum of a 3-foot-wide front walkway consisting of concrete, exposed aggregate concrete, concrete pavers, stamped concrete or brick shall be provided between the front entrance of each dwelling unit and adjacent drives, sidewalks or streets.
       2. Landscaping.
          1. Front Foundation Planting Beds: Foundation planting is required along the entire front façade of all units and shall extend along all sides facing a street. Foundation Planting Beds shall be a minimum of four (4) feet wide from the unit foundation. Planting beds shall include medium shrubs, spaced a maximum of four (4) feet apart. The plant materials used should visually soften the unit corners and complement the architecture of the home at their mature sizes. Planting bed deviations may be approved by the Planning Department at time of plans review due to unique design circumstances.
       3. Fences. Chain link fences shall not be permitted.
       4. Residential Architecture and Materials:
          1. Style and Form. significant deviations are approved by the Planning Commission during subdivision plan review, the architectural treatment of the homes shall be generally compatible and consistent in quality to the architectural standards of the elevations as shown in Exhibit B, entitled Conceptual Design Guidelines.
          2. Materials. Acceptable siding materials include brick, stone, masonry, fiber cement siding (such as HardiePlank, HardieShingle, and HardieTrim), premium vinyl with a minimum wall thickness of .044 inches, or engineered wood siding (such as LP SmartSide), or other comparable material as approved by the Planning Director at time of plans review. Dutch lap and plywood siding are not permitted. Other materials may be used for trim, architectural decorations, or design elements provided they blend with the architecture of the dwelling.

* + - 1. Step-down Siding: For dwelling units stepping the siding down below the first floor shall be permitted on the side and rear elevations that do not front on a street, with a maximum of two (2) steps permitted on any elevation. A minimum of 24 inches of exposed brick or stone shall be required, unless a lesser amount is approved by the Planning Department at time of plans review due to unique design circumstances.
      2. Variation. Buildings with the same front elevation may not be located adjacent to, directly across from, or diagonally across the street from each other on the same street. Variation in the front elevation to address the previous sentence may be accomplished by providing at least two (2) of the following architectural changes:
         1. adding or removing a porch or covered entry or increasing or decreasing the length of the porch or entry
         2. varying the location and/or style of a front facing gable(s)
         3. alternating the location of the garage
         4. providing different materials and/or siding types on at least 50% of the elevation
         5. providing a different roof type/roof line.
      3. Roof Materials: Roofing materials shall be standing seam metal or dimensional architectural shingles or better with a minimum 30-year warranty.
      4. Porches and Stoops. Front stoops and porches shall be constructed with continuous foundation walls or with masonry piers to match the foundation of the home.
      5. Garages. Only side-loaded garages will be permitted. Side-loaded garages shall have a minimum of three (3) enhanced features. Enhanced features shall include windows, raised panels, decorative panels, arches, hinge straps or other architectural features on the exterior that enhance the entry (i.e. decorative lintels, shed roof overhangs, arches, columns, keystones, eyebrows, etc.). Flat panel garage doors are prohibited.
      6. Heating, Ventilation and Air Conditioning (HVAC) Units and Whole House Generators. Units adjacent to public right of way shall be screened from view by landscaping or low maintenance material, as approved by the Planning Department.