

INTRODUCED: March 24, 2014

AN ORDINANCE No. 2014-74-69

As Amended

To conditionally rezone the property known as 5107 Kenmare Loop from the R-2 Single-Family Residential District to the R-5C Single-Family Residential District (Conditional), upon certain proffered conditions.

Patron – President Samuels (By Request)

Approved as to form and legality
by the City Attorney

PUBLIC HEARING: APR 28 2014 AT 6 P.M.

THE CITY OF RICHMOND HEREBY ORDAINS:

§ 1. That, as shown on the [~~site plan~~] survey entitled [~~“Adams Park Conceptual Layout,”~~] “Adams Park Subdivision,” prepared by [~~Cite Design~~] AES Consulting Engineers, and dated [~~September 25~~] March 18, 2013, a copy of which is attached to, incorporated into, and made a part of this ordinance, the property known as 5107 Kenmare Loop, with Tax Parcel No. C008-1265/004 as shown in the 2014 records of the City Assessor, is excluded from the R-2 Single-Family Residential District and shall no longer be subject to the provisions of sections 114-404.1 through 114-404.7 of the Code of the City of Richmond (2004), as amended, and that the same is included in the R-5 Single-Family Residential District and shall

AYES: 8 NOES: 0 ABSTAIN: _____

ADOPTED: MAY 12 2014 REJECTED: _____ STRICKEN: _____

be subject to the provisions of sections 114-410.1 through 114-410.7 and all other applicable provisions of Chapter 114 of the Code of the City of Richmond (2004), as amended.

§ 2. That this rezoning shall be conditioned upon the compliance by the owner or owners with all of the proffered conditions entitled “Proposed Proffers,” dated March 18, 2013, and last revised [~~September 26, 2013~~] April 22, 2014, a copy of which is attached to, incorporated into, and made a part of this ordinance. These conditions, having been proffered by the owner or owners and accepted by the City, shall continue in full force and effect until a subsequent amendment to the City’s zoning ordinance changes the zoning of the area rezoned by this ordinance and specifically repeals such conditions.

§ 3. This ordinance shall be in force and effect upon adoption.

Proposed Proffers

March 18, 2013, as revised April 22, 2014 ~~September 26, 2013~~

5107 Kenmare Loop, Richmond, Virginia
Sections 3 and 4 of the Adam's Park Subdivision
Map Reference Number: C008-1265/004

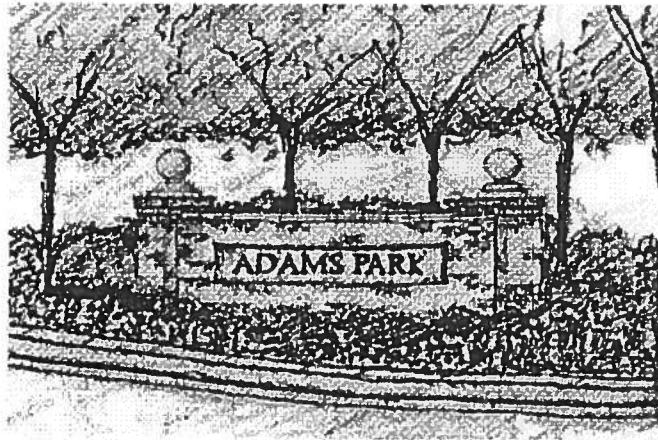
1. **Maximum Density:** The maximum number of building lots on the property shall not exceed eighty (80) single-family dwelling lots and one (1) lot for a community center and tot lot.
2. **Home Quality Guarantees:**
 - a. **Minimum Finished Floor Area:** The minimum finished floor area for all dwellings shall be 1700 sq. ft., except up to ten dwellings may be between 1500 and 1699 sq. ft.
 - b. **Exterior Materials:** The exterior of all dwellings shall be constructed of brick, brick veneer, EFIS, fiber cement siding, vinyl siding (0.044" or greater thickness), stone, synthetic stone, or similar masonry material. Fifty (50) percent of the dwellings shall have a premium front. A premium front shall be defined as a front elevation that is clad with a minimum of twenty five (25) percent premium material (brick, brick veneer, stone, synthetic stone, EFIS, or similar premium material) above the foundation.
 - c. **Porches:** A minimum of twenty five (25) percent of the dwellings shall be constructed with a covered front porch that is at least four (4) feet deep and having a minimum area of twenty-five (25) square feet.
 - d. **Foundations:** The exposed exterior portion of all dwelling foundations shall be brick or similar masonry material. Masonry material at the foundation shall not count toward the twenty-five (25) percent premium material required for a premium front in 2.(b.) above.
 - e. **Garages:**
 - i. A minimum of seventy-five (75) percent of the dwellings shall be constructed with garage with minimum dimensions of fourteen (14) feet by eighteen (18) feet.
 - ii. Garages shall not project in front of the main plane of the dwelling more than fifty (50) percent of the depth of the garage.
 - iii. Fifty (50) percent of garages that project in front of the main plane of the dwelling six (6) feet or more shall have either a second story or a gable roof above the area of the garage.
 - iv. A maximum of three (3) homes in a row may have the garage on the same side of the dwelling.
 - v. All garage doors shall have windows.
 - e.f. Dwelling Unit Variation: Identical dwellings shall not be permitted on abutting lots. Dwellings on abutting lots must be of a different floor plan or the same floor plan with substantial architectural variation. A reversed floor plan shall be permitted.
 - e.g. The property owner/builder shall provide a listing of floor area, exterior materials, porches, and garages for all dwellings approved in the development with the building permit and -upon the request of the Department of Planning and Development Review in order to demonstrate compliance with the above.
3. **Home Landscaping Guarantees:** All homes shall be landscaped. A minimum of ten (10) shrubs and/or trees shall be included in the landscaping. These shrubs and/or trees shall include a minimum of three (3) different species. Shrubs shall be a minimum one (1) gallon size at installation. Of the ten (10) shrubs and/or trees, a minimum of two (2) deciduous trees having a caliper of not less than one (1) inch at the time of installation measured six inches above the ground shall be provided in the front yard

within five (5) feet of the right-of-way. A front yard sod and/or irrigation option shall be offered to prospective home purchasers. An as-built survey, depicting the location of required landscaping shall be provided to the Department of Planning and Development Review by the property owner/builder prior to issuance of a certificate of occupancy.

4. **Open Space and Site Plan Guarantees:** A minimum of 16.2 acres of the remaining Adams Park property located in the City of Richmond shall be kept as open space and deeded to the Adams Park Homeowners Association at no cost. Each existing home, as of the date of this ordinance, that abuts the new section shall be buffered with a minimum of 30 feet of open space that shall be deeded to the homeowner's association. The open space shall be left in its natural state, except for (1) the community center, tot lot or other community facilities and (2) any clearing necessary for utility lines or drainage facilities approved by the City. The Property shall be developed in a manner generally consistent with the conceptual layout plan entitled "Adams Park Conceptual Layout", dated September 25, 3013 prepared by citedesign. The conceptual layout plan is proffered to demonstrate that proffered conditions can be met and the design intent. It is conceptual in nature and the final design may vary in detail as to the exact configuration and location of lots and roads and may be adjusted for engineering reasons or as required by any governmental authority or as otherwise approved by the Planning Commission at the time of subdivision review.
5. **Lot Size and Yard Guarantees:**
 - a. Lot Area: The average of the lot size shall be 7300 sq. ft. or greater (6,000 sq. ft. minimum).
 - b. Lot Width: The average lot width shall be 60 feet or greater (50 foot minimum). No more than three (3) 50 foot wide lots may be developed in a series, except for lots fronting on cul-de-sacs.
 - c. Side Yard Setbacks: The side lot setback shall be:
 - i. Five (5) feet for fifty (50) foot lots (lots 50 up to 60 feet in width)
 - ii. Six (6) feet for sixty (60) foot lots (lots 60 up to 70 feet in width)
 - iii. Seven (7) feet for seventy (70) foot lots (lots 70 feet and greater in width)
 - d. Cul-de-sac Front Yard Setbacks: Cul-de-sac lots shall have a front yard setback greater than the district minimum which shall be shown on the final plat and which shall be at the point where the lot is at least 60 feet wide, measured horizontally between side lines. This lot width shall be used for determining compliance with Section 5b.
6. **Driveway Guarantees:** All driveways shall be constructed of exposed aggregate, concrete, brick, stone, or pre-cast pavers. Pavers may be of a permeable or porous design. An as-built survey, specifying the driveway material shall be provided to the Department of Planning and Development Review by the property owner/builder prior to issuance of a certificate of occupancy.
7. **Post Lamp and Mail Box Guarantees:** ~~Post Lamp and Mail Box Guarantees:~~ Street lights and mail boxes shall be substantially the same as those depicted on the attached product specification sheets dated June 25, 2013, and shall be installed within five feet of the right-of-way line to illuminate the street.
8. **Underground Utilities Guarantees:** All utilities except for junction boxes, meters, transformers or those required to be above ground for technical or environmental reasons shall be installed underground.
9. **Amenity/Facility Guarantees**
 - a. Community Building: The community building shall be a one story structure with a minimum of 1,400 square feet of floor area. It shall include a small kitchen with stove and refrigerator, two bathrooms, air conditioning and a parking lot with ten (10) to fifteen (15) spaces. The details of the design shall be coordinated with the Architectural Review Committee (ARC) for the Adams

Park Homeowners Association (APHA). The community building shall be turned over to the APHA at no cost to the APHA and free from debt.

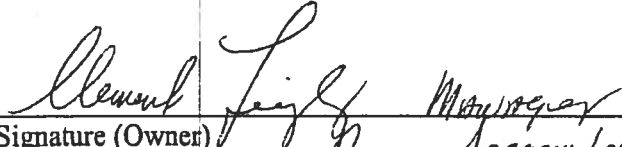
- b. Tot Lot: A modest tot lot with water fountain and lights shall be provided by the developer. The details of the design shall be coordinated with the ARC for the APHA. The community Tot Lot shall be turned over to the APHA at no cost to the APHA and free from debt.
- c. Front Entrance Feature: An entrance feature shall be provided within the right-of-way at the intersection of Kenmare Loop and Ironbridge Road subject to receiving any required approvals from the City. The front entrance feature shall include (see sketch): A curved brick wall eighteen (18) feet long from the center of the column to the center of the other column. The columns will be at least six (6) feet from the ground to the bottom of the ball top. The cast stone letters will be one (1) foot tall. The front of the feature will be planted with hardy, low growing plants at least forty (40) per side. The top of the walls shall be cast stone to match the balls. There shall be matching features on each side of the entrance. The details of the design shall be coordinated with the ARC for the APHA. The front entrance feature shall be turned over to the APHA at no cost to the APHA and free from debt.



- d. Rear Entrance Feature: One column identical to the current columns at the front of the community shall be provided at the rear entrance to the community. The rear entrance feature shall be turned over to the APHA at no cost to the APHA and free from debt.
10. **Covenants:** At a minimum, prior to or concurrent with the recordation of the first subdivision plat, the following restrictive covenants shall be recorded for the development to ensure the enforcement of proffers for each dwelling after the issuance of a certificate of occupancy. In addition, the declaration shall address responsibility of maintenance of buffers, open space, and the community building and grounds.
- a. Exterior Materials: The exterior of all dwellings shall be constructed of, brick, brick veneer, EFIS, fiber cement siding, vinyl siding (0.044" or greater thickness), stone, synthetic stone, or similar masonry material.
 - b. Foundations: The exposed exterior portion of all dwelling foundations shall be brick or similar masonry material.
 - c. Home Landscaping: All homes shall be landscaped. A minimum of ten (10) shrubs and/or trees shall be included in the landscaping. These shrubs and/or trees shall include a minimum of three (3) different species. Of the ten (10) shrubs and/or trees, a minimum of two (2) deciduous trees

having a caliper of not less than one (1) inch at the time of installation measured six inches above the ground shall be provided in the front yard within five (5) feet of the right-of-way.

- d. Driveways: All driveways shall be constructed of exposed aggregate, concrete, brick, stone, or pre-cast pavers. Pavers may be of a permeable or porous design.
- e. Post Lamp and Mail Boxes: Street lights and mail boxes shall be substantially the same as those depicted on the attached product specification sheets dated June 25, 2013, and shall be installed within five feet of the right-of-way line to illuminate the street.
- f. Garages: Garage shall have minimum dimensions of fourteen (14) feet by eighteen (18) feet.


Signature (Owner) _____
Avon Associates, LLC