

CASE NO. RZON-098473-2021  
PROFFERED CONDITIONS

The property owner and the contract purchaser, together the “applicants” in this rezoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of the City of Richmond, for themselves and their successors or assigns, proffer that the property under consideration will be developed according to the following proffers if, and only if, the rezoning request submitted herewith is granted with only those conditions agreed to by the applicants, or their agent. In the event this request is denied or approved with conditions not agreed to by the applicants or their agent, the proffers shall immediately be null and void and of no further force or effect.

Conceptual Layout. The site shall be developed in general conformance with the conceptual layout depicted on Exhibit A (“Kinwick”, Conceptual Layout, October 25, 2021), attached hereto (“Conceptual Layout”). The Conceptual Layout is conceptual in nature and may vary based on the final site plan, which shall depend on final engineering, final soil studies, RPA lines, wetlands, road design, lot locations, amenity locations, and other engineering or design reasons, subject to the approval, in accordance with applicable law, of the Director of Planning and Development Review at the time of plans review. One or more portions of the roads shown, or additional road segments necessary for lot access, may be private, to the extent permitted by law.

Density. Density shall be limited to a maximum of one hundred forty (140) dwelling units.

Elevations. The homes shall be constructed in general conformance with the architectural appearance of the elevations of town homes and single family detached homes depicted in Exhibit B.

Exterior Materials. Acceptable siding materials include brick, stone, masonry, vinyl, fiber cement, or engineered wood. Vinyl siding shall have a minimum wall thickness of 0.044 inches, as evidenced by manufacturer’s printed literature. Dutch lap, plywood and metal siding are not permitted.

Enhanced garage door. Any garage door facing a public street shall be an upgraded garage door. An upgraded garage door is any door with a minimum of two (2) enhanced features. Enhanced features shall include, but not be limited to the following:

- i. A projecting architectural element, such as an accent roof or pergola, above garage doors,
- ii. windows,
- iii. raised panels,
- iv. decorative panels,
- v. wood grain panel,
- vi. arches, and
- vii. hinge straps or other architectural features on the exterior that enhance the entry (i.e. decorative lintels, arches, columns, keystones, eyebrows, etc.).

Sidewalks. A pedestrian connection shall be made from the Property to the sidewalk along Warwick Road with the design, location and material to be determined during plans review and approved by the Director of Planning and Development Review, in accordance with applicable law and the standards of the Department of Public Works, unless site conditions do not allow for this connection as determined by the Director of Planning and Development Review in accordance with the standards of the Department of Public Works.

Pedestrian Path. A minimum 5' wide paved pedestrian path shall be installed in the approximate location illustrated on Exhibit A, with the design, location and material of such path to be determined during plans review and approved by the Director of Planning and Development Review in accordance with the standards of the Department of Public Works, unless site conditions do not allow for such path as determined by the Director of Planning and Development Review in accordance with the standards of the Department of Public Works. Any crossing of wetlands will be accomplished with a wooden bridge, the surface of which shall be wood, except that the Applicant may propose alternative surface materials at plan review, which proposal shall in be subject to approval by the Director of Planning and Development Review in accordance with the standards of the Department of Public Works. Alternative surface materials may be proposed by the applicant at plans review and approved by the Director of Planning and Development Review in accordance with the standards of the Department of Public Works.

Street Trees. Street trees shall be provided on both sides of the streets at a minimum of one and one-half inch inches in caliper in size at the time of planting and spaced with a maximum average spacing of forty (40) feet on center unless a different spacing is determined at the time of final plan review by the Director of Planning and Development Review in accordance with the City of Richmond's Urban Forestry standards. In the event such spacing results in conflicts with utilities, easements, sightlines, entrances and other items, the Director of Public Works shall allow for increased spacing between trees on a case-by-case basis to ensure compliance with applicable law.

Bike Racks. At least two bike racks shall be placed within the property.

Restrictive Covenants. Prior to or concurrent with the recordation of a subdivision plat approved by the City of Richmond, Virginia and before the conveyance of any portion of the property covered by said subdivision plat (other than for the dedication of easements, roads or utilities), a document shall be recorded in the Clerk's Office of the Circuit Court of the City of Richmond, Virginia, setting forth controls on the development and maintenance of the subject property. Said covenants shall include provisions for maintenance and operation of any storm water management system, and address aesthetic design principles of homes, specific architectural design guidelines, landscaping and maintenance of common area.

Marketing. All homes shall be marketed for sale as "Owner-occupied."

Ferapont Connection. The road connection to the existing stub at the end of Ferapont Drive shall be restricted to emergency access only.

THELMA W. LOWMAN;  
THELMA KATHLEEN LOWMAN;  
BETTY W. MALASPINO;  
PATSY J. LOWRY and DANNY L. WINGO, Co-Trustees  
of the Wingo Family Revocable Trust dated May 19, 2008; and  
CAROL THOMPSON WINGO, Trustee of The Carol Thompson Wingo Revocable Trust,  
UTA originally dated November 21, 2005, as amended and restated on January 31, 2019, and  
any amendments thereto


By:   
Jeffrey P. Geiger, Attorney-in-Fact  
Date: March 31, 2022

Exhibit A

**“Kinwick”**

Conceptual Layout  
October 25, 2021





**Exhibit B**  
Home Elevations







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