

# Oasis Park, LLC

Case No. 20SN0608

PROFFERS

May 15, 2020

Revised August 11, 2020

Revised January 11, 2021

Revised February 16, 2021

1. Master Plan. The Textual Statement dated May 15, 2020 and last revised February 16, 2021 shall be considered the Master Plan.
2. Conceptual Plan. The site shall be designed as generally depicted on the drawing titled “Oasis Property- Site Concept” dated May 7, 2020, revised February, 2021 and attached hereto, to be further referred to as Exhibit A. The site uses shall be as described in the Master Plan and further shown as Tract A and B on the Site 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.
3. Utilities.
  - A. Public water and wastewater shall be used.
  - B. Public wastewater utility lines and easements shall be extended to the southern boundary of the site along Cosby Road, at locations determined at the time of plan review, so as to provide wastewater service to properties between Cosby Road and Hull Street Road, including the portion of GPIN 715-670-5697 located west of Fox Club Parkway.
4. Access. The exact location of each access shall be approved by the Transportation Department.
  - A. Direct vehicular access from the Property to Fox Club Parkway shall be limited to two (2) entrances/exits.
  - B. Direct vehicular access from the Property to Village Square Parkway shall be limited to two (2) entrances/exits.
  - C. Prior to any tentative subdivision plan, site plan, or construction plan approval, whichever occurs first, that proposes access to Cosby Road, an access plan for Cosby Road shall be submitted to and approved by the Transportation Department. Vehicular access from the Property to Cosby Road shall conform to the approved access plan.

5. Right of Way Dedication. Prior to any site plan approval, in conjunction with the recordation of the initial subdivision plat, or within sixty (60) days of a written request by the Transportation Department, whichever occurs first, the following shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County, as determined by the Transportation Department;
  - A. Thirty-five (35) feet of right of way along the east side of Fox Club Parkway, measured from the centerline of that part of Fox Club Parkway immediately adjacent to the Property.
  - B. Thirty-five (35) feet right of way along the south side of Village Square Parkway, measured from the centerline of that part of Village Square Parkway immediately adjacent to the Property;
  - C. Thirty (30) feet of right of way along the north side of Cosby Road, measured from the centerline of that part of Cosby Road immediately adjacent to the Property.
  
6. Road Improvements. To provide an adequate roadway system, the developer shall be responsible for the following road improvements. The exact alignment, length, and design of the improvements shall be approved by the Transportation Department. If any of these road improvements are provided by others, as determined by the Transportation Department, then the specific road improvement(s) shall no longer be required.
  - A. Construction of intersection control (roundabout, traffic signal, or alternative) as approved by the Transportation Department and VDOT at the existing Fox Club Parkway/southernmost Cosby High School Access/proposed development access, including pedestrian accommodations.
  - B. Construction of an additional southbound lane on Fox Club Parkway that will begin immediately south of the proposed roundabout at the Fox Club Parkway/southernmost Cosby High School entrance and extend to Cosby Road.
  - C. Construction of left and right turn lanes along Village Square Parkway at each approved access, if warranted based on Transportation standards.
  - D. Construction of left and right turn lanes along Fox Club Parkway at each approved access, if warranted based on Transportation standards.
  - E. Widening/improving the north side of Cosby Road to provide an eleven (11) foot wide travel lane and a four (4) foot wide paved shoulder on the north side and overlaying the full width of the road with one and a half (1.5) inch bituminous asphalt concrete, with any modifications approved by the Transportation Department, for the entire Property frontage. Widening improvements described above do not preclude construction of on-street parking, if on-street parking is approved by VDOT. Should any portion of Cosby Road be planned for removal from VDOT/state maintenance, these improvements shall be modified accordingly as determined by the Transportation Department.
  - F. Developer shall construct an access road connecting Dogwood Villa Drive with Road B, the location of which is generally shown on the Concept Plan as an orange dashed line “13”

Proffered Condition 6.G (“Future Connector Road”) the “Connector Road”). At the Developer’s option, the Connector Road may be a private access road, designed to meet the County private road standards approved by the Transportation Department. In such a case, the private Connector Road does not need to be a direct point between Dogwood Villa Drive and Road B, but may be circuitous so long as a connection is made between Dogwood Villa Drive and Road B. If the developer chooses not to make the Connector Road private, the Connector Road may be a public road, in which case the exact design of the Connector Road for public road standards shall be approved by the Transportation Department. If public, the Connector Road shall be dedicated to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvements for the Connector Road. In the event the Developer is unable to acquire any “off-site” right-of-way or obtain the necessary waivers from VDOT in order to properly construct and dedicate the Connector Road as a public road as required herein, the developer may request, in writing, that the County acquire such right-of-way as a public road improvement and obtain such waivers from VDOT. All costs associated with the acquisition of the right-of-way shall be borne by the Developer. In the event the Connector Road is to be made public and the County has not been able to or has chosen not to assist the developer in the acquisition of the “off-site” right-of-way for the Connector Road and obtaining the waivers from VDOT within 120 days from the time the Developer has submitted plans for construction of Road A, the Developer shall not be required to construct and dedicate the Connector Road as either a public road or a private road.

G. If required by the Transportation Department and approved by VDOT, a traffic signal shall be installed at the intersection of Cosby Road and Hull Street Road. If the Transportation Department does not require or VDOT does not approve this within seven (7) years after the date of approval of this case by the Board of Supervisors, this proffer shall no longer be required.

H. Construction of VDOT standard sidewalks along the entire Property frontage of Village Square Parkway and Fox Club Parkway.

I. Dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the road improvements identified above.

7. Phasing Plan. Prior to any site plan approval, a phasing plan for the proffered road improvements, as identified in Proffered Condition 6, shall be submitted to and approved by the Transportation Department.

8. Road Cash Proffers.

A. The Applicant, Developer, Sub-divider, or Assignee(s) shall pay \$5,922 for each townhome or condominium dwelling unit, \$5,640 for each apartment dwelling unit and \$2,914 for each senior housing attached dwelling units to the County of Chesterfield for road improvements within the service district for the property.

B. Each payment shall be made prior to the issuance of a building permit 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 in addition to, any impact fees, in a manner determined by the County.

- C. At the option of the Transportation Department, cash proffer payments may be reduced for the cost of road improvements, for those improvements identified in Proffered Conditions 6.A., 6.B., 6.F., and 6.G., provided by the Applicant, Developer, Sub-divider, or Assignee(s), as determined by the Transportation Department. The value of the improvements shall be approved by the Transportation Department. The cost estimate for these improvements equal approximately \$3,700,000.00.

9. Density.

A. Tract A or B. Residential Density.

- i. A maximum of two hundred (200) single family attached dwelling units shall be permitted.
- ii. A maximum of two hundred (200) age restricted single family attached dwelling units shall be permitted.

B. Tract B. Multifamily Residential Density.

- i. A maximum of one hundred and seventy-five (175) independent or assisted living beds (units) shall be permitted in one or more buildings.

10. Phasing.

A. The following phasing plan pertains to the 200 single family attached dwelling units that are not age restricted (9.A.i).

- i. A certificate of occupancy may not be issued for any non-age restricted dwelling units until 2023.

<b>Phasing Plan for Non-Age Restricted Townhomes (9.A.i)</b>			
<u>Year</u>	<u>Status</u>	<u>Certificates of Occupancy (CO) allowed to be released per year for non-age restricted THs</u>	<u>Cumulative number of maximum CO's allowed for all non-age restricted THs</u>
2021			0
2022			0
2023	Start Development/First Home Closings*	50	50
2024	Estimated 40-60 Home Closings*	50	100
2025	Estimated 40-60 Home Closings*	50	150
2026	Estimated 40-60 Home Closings*	50	200
2027	Estimated 40-60 Home Closings*		200
2028	Estimated 40-60 Home Closings*		200
2029**	Final Home Closings*		200

\*Home closings include All-Age & Age Restricted product

\*\* and after

11. Open Space/Pedestrian Areas.

- A. A minimum of twenty-five (25%) of the gross acreage shall be retained as Open Space.
  - B. Tract A shall include a Swimming Pool and a Clubhouse. Tract A shall also include at a minimum Two (2) pocket parks that shall consist of a variety of Active and Passive Recreational uses. The Passive Recreational Uses shall consist of: formal courtyards, parks, plazas, mews, picnic areas, trails, paths, sidewalks, ponds, open space, and vistas) and the Active Recreational Uses shall consist of: swimming pools, clubhouses, tennis courts, pickle ball courts, basketball courts, playgrounds, tot lots, dog parks, open game fields, event lawns, or any other outdoor amenities as approved by the Planning Director at the time of Site Plan Review. The exact design, material and location of open space/pedestrian areas shall be approved by the Planning Department and the Department of Environmental Engineering at time of Plans Review.
  - C. The commercial property shall include open space areas that shall serve to connect the commercial property buildings and uses to the spaces intended for gatherings and social interaction. Improvements in these areas may include, but not be limited to: decorative paving units; pedestrian-style lighting; benches; landscaped areas; plantings; bike racks; plazas; water features; fountains; and other pedestrian elements. The exact design, material and location of the pedestrian elements shall be approved by the Planning Department and the Department of Environmental Engineering at the time of Plans Review.
12. Pre and Post Development Rate. The maximum post-development discharge rate for the 100-year storm shall be limited to pre-development 100-year discharge rate.
  13. Drainage. Drainage shall remain onsite and not sheet flow to the eastern property line. All run off shall be intercepted, rerouted and treated onsite.
  14. Upper Swift Creek Watershed. In the Upper Swift Creek Watershed enhanced erosion and sediment control measures such as the following shall be used
    - A. Super Silt Fence, or an alternative as approved by the Department of Environmental Engineering, shall be provided as a perimeter control;
    - B. Sediment traps and basins sized at least twenty five percent (25%) larger than the minimum Virginia Erosion Control Handbook's standard shall be provided;
    - C. Anionic PAM, Flexible Growth Medium and/or a County-approved equivalent shall be applied to denuded areas during construction and at final stabilization in the locations shown on plans approved by Environmental Engineering at the time of plans review. ; and
    - D. The Department of Environmental Engineering shall approve the exact design and implementation of these standards.
  15. Development Standards. In addition to any other requirements set forth herein, the Applicant shall comply with the following:

A. Residential Design Elements.

i. Driveways and Walks.

a). Driveways.

- (1) Front-loaded driveways and private parking areas shall be brushed concrete, stamped concrete or exposed aggregate concrete.
- (2) Rear-loaded alleyways, driveways and private parking areas shall be brushed concrete, stamped concrete, exposed aggregate concrete, or asphalt.
- (3) Gravel driveways shall not be permitted.

b). Front walks: A minimum of a 3-foot-wide concrete front walk shall be provided to the front entrance of each dwelling unit, to connect to drives, sidewalks or street.

ii. Landscaping.

a). 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 three (3) 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.

iii. Streetscape. Trees, planted approximately fifty (50) foot on center, shall be provided along the Public Roads, except where there is a conflict with utilities, sightlines and driveway areas.

iv. Sidewalks: Sidewalks shall be provided on both sides of all public streets, deviations may be approved by the Planning Department at time of plans review due to unique design circumstances.

v. Fences. Chain link fences shall not be permitted.

vi. Lighting. Street scape light poles shall not exceed fifteen (15) feet in height.

vii. Residential Architecture and Materials:

a). Style and Form. Unless significant deviations are approved by the Planning Commission during subdivision plan review, the architectural treatment of the single family and townhouse buildings shall be generally compatible and consistent in quality to the architectural standards of the elevations as shown in Exhibit B, entitled Conceptual Design Guidelines, dated August 3, 2020.

- b). Dwelling on Slab. If the dwelling unit is constructed on a slab, brick or stone shall be employed around the base of the dwelling unit along all front and side elevations a minimum eight (8) inches above grade so as to give the appearance of a foundation.
- c). Materials. Acceptable siding materials include brick, stone, masonry, fiber cement siding (such as HardiPlank, HardieShingle, and HardieTrim), or engineered wood siding (such as LP SmartSide), premium quality vinyl siding with a minimum thickness of .044 inches 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.
- d). Repetition. Single family detached dwelling units with the same elevations, not including the same style (Craftsman, Farmhouse, etc.), and color palette may not be adjacent to each other on the same street. Townhouse dwellings units with the same elevations and color palette may not be located adjacent to or directly across from each other on the same street. In either case, this requirement does not apply to dwellings on different streets backing up to each other.
- e). 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.
- f). Roof Materials: Roofing materials shall be standing seam metal or dimensional architectural shingles or better with a minimum 30-year warranty.
- g). Porches and Stoops.
- (1) Front Porches: Where elevated more than sixteen (16) inches, front entry stoops and front porches shall be constructed with continuous masonry foundation wall or on 12"x12" masonry piers. Extended front porches shall be a minimum of five (5) feet deep. Space between piers under porches shall be enclosed with framed lattice panels. Where provided or required by code on elevated porches, handrails and railings shall be finished painted wood, vinyl or metal railing with vertical pickets or sawn balusters. Pickets shall be supported on top and bottom rails that span between columns.
- (2) Front Porch Flooring: Porch flooring may be concrete, exposed aggregate concrete, or a finished paving material such as stone, tile or brick, finished (stained or painted) wood, or properly trimmed composite decking boards. All front steps shall be masonry to match the foundation.
- h). Garages.
- (1) Front loaded attached garages shall be permitted to project a maximum of four feet (4') forward of the front porch or front line of the main dwelling.

(2) Front loaded garages shall use an upgraded garage door. An upgraded garage door is any door with a minimum of two (2) 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.

i). 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.

B. Design Elements for Tract B.

- i. Building Materials. All buildings shall have an exterior wall surfaces constructed of brick, stone, or cultured stone, architectural masonry, Cementous siding and trim, exclusive of windows, doors, cornices, accent bands, and architectural treatments which may be constructed of metal, fiberglass, E.I.F.S., stucco, or other comparable materials as approved by the Director of Planning. The exposed portion of the exterior wall surfaces (front, rear and sides) of any building shall be similar in quality as to architectural treatment and materials.
- ii. Sidewalks. Sidewalks shall be provided to all buildings from the designated parking areas as generally shown on the Conceptual Plan. Sidewalks shall be a minimum of five (5) feet in width and shall be constructed of concrete or an alternative material approved by the Planning Department at site plan approval. Where pedestrian traffic may need to cross drives and or public roads, crosswalks will be provided as decorative painted surfaces or be constructed from concrete with a stained, painted or stamped textures.
- iii. Street Lights. Street lighting and parking lot lights shall be. Internal site lighting shall be of a pedestrian scale. All light poles and fixtures to ornamental and approved by the Planning Department at the time of site plan review.
- iv. Trash Receptacles. Solid waste storage areas, not including convenience containers, shall be screened form public view at ground level from the adjacent properties and/or the public right of way with an enclosure constructed with materials to match the building it serves. The area shall have an opaque door which shall remain closed when not being accessed.

16. Perimeter Screening.

- A. A twenty (20) foot wide landscape strip shall be provided along the eastern boundary of the property adjacent to the Dogwood Subdivision within common area of the development. Utility easements shall be permitted to cross the strip in a perpendicular fashion. Any healthy trees that are five (5) inches or greater in caliper shall be retained within this strip except where removal is necessary to accommodate any improvements, easements or grading. Nothing herein shall preclude the removal of vegetation or trees from the landscape strip that are unhealthy, dying or diseased. A landscape plan shall be submitted to the Planning Department for this landscape strip which identifies all trees that are five (5) inches or greater in caliper for preservation at the time of plan review. Any open areas of 100



square feet or greater shall be supplemented with plant materials, fencing or other acceptable material so as to minimize year-round views of improvements on the property from Dogwood subdivision, as determined by the Director of Planning. The minimum size standards for supplemental plant material shall comply with the County Zoning Ordinance.