

## Proffer Statement

In connection with the rezoning request for the property located at 1211 and 1231 Smithland Road (the "Property") and identified as tax map parcels 71-A-3 and 71-A-4. The final layout of the development will be determined upon comprehensive site plan approval. The included Concept Plan in Exhibit A is for illustrative purposes only except where specifically referenced in these proffers.

I hereby proffer that the use and development of the subject Property shall be in strict accordance with the conditions set forth in this submission.

1. The overall density of the development shall not exceed 70 units.
2. Only single-family detached and duplex dwellings are permitted as principal uses. The number of duplex dwelling units shall not exceed twenty-five percent (25%) of the total number of units in the development.
3. No more than one public street connection to Smithland Road shall be permitted. The public street shall end in a street stub to provide connectivity to the parcel identified as tax map number 71-A-13. No driveways will be located on this new public street. Location and alignment of the public street shall be as approved by the Department of Public Works.
4. Any street with on-street parking shall have curb extensions at intersections.
5. In addition to the public street stub described above, a minimum of one additional public street stub shall be constructed to the boundary of the development to provide additional connectivity to the parcel identified as tax map number 71-A-13. Location of the street stub shall be as approved by the Department of Public Works.
6. Upon request from the City, the Owner/Applicant will dedicate the necessary public street right-of-way along Smithland Road approaching the intersection into the development; up to twenty feet (20') in width to allow for a two-hundred-foot (200') right turn lane and a two-hundred-foot (200') right taper and to include curb and gutter and a five-foot (5') sidewalk with a two-foot (2') grass buffer . In addition, a ten foot (10') temporary construction easement shall be provided.
7. Upon request from the City, the Owner/Applicant shall dedicate land adjacent to tax map parcel 64-B-4-A for public street right-of-way as generally depicted in Exhibit A.
8. A shared-use path shall be constructed along one side of the new public street connection between Smithland Road and tax map parcel 71-A-13. A sidewalk will be constructed on the other side of the public street.

9. A ten foot (10') wide shared use path will be constructed between a public street and tax map parcel 71-A-13 in the location generally in Exhibit B. A twenty foot (20') wide public shared use path easement shall be conveyed to the City upon completion. The shared use path shall be constructed and dedicated to the City of Harrisonburg as a public shared use path easement prior to the completion of the Development. However, if a public street stub is provided in this general location, then the shared use path would not be required.
10. A recreational play area of no less than 500 square feet shall be provided. If provided adjacent to Smithland Road, then a privacy fence at least six feet (6') in height shall be constructed between the recreational play area and Smithland Road. Between the privacy fence and Smithland Road, a staggered double row of evergreen trees shall be planted and maintained by a Homeowner's Association, with the trees in each row planted not more than ten feet apart and a minimum of six feet (6') in height at the time of planting.
11. Screening in the form of a privacy fence at least six feet (6') in height shall be constructed along the boundaries of Parcels 71-A-5, 71-A-1, 64-B-4-A, 64-B-5, and the southwest boundary of 71-A-2 that is parallel to Smithland Rd, and shall be maintained by a Homeowner's Association.

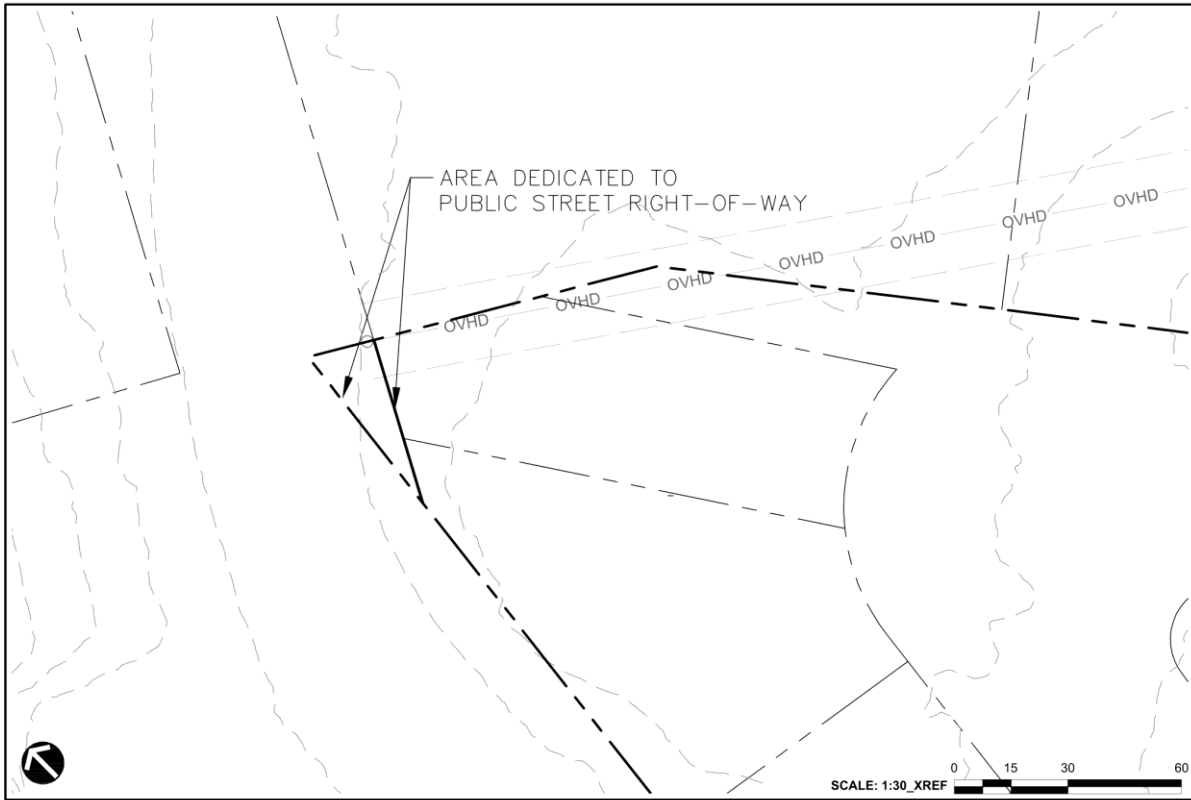
\_\_\_\_\_  
Kathleen Kelly Ganoe, POA for Janis Brown, Property Owner

\_\_\_\_\_  
Date

\_\_\_\_\_  
David Gast, Smithland Village, LLC, Applicant

\_\_\_\_\_  
Date

# Exhibit A



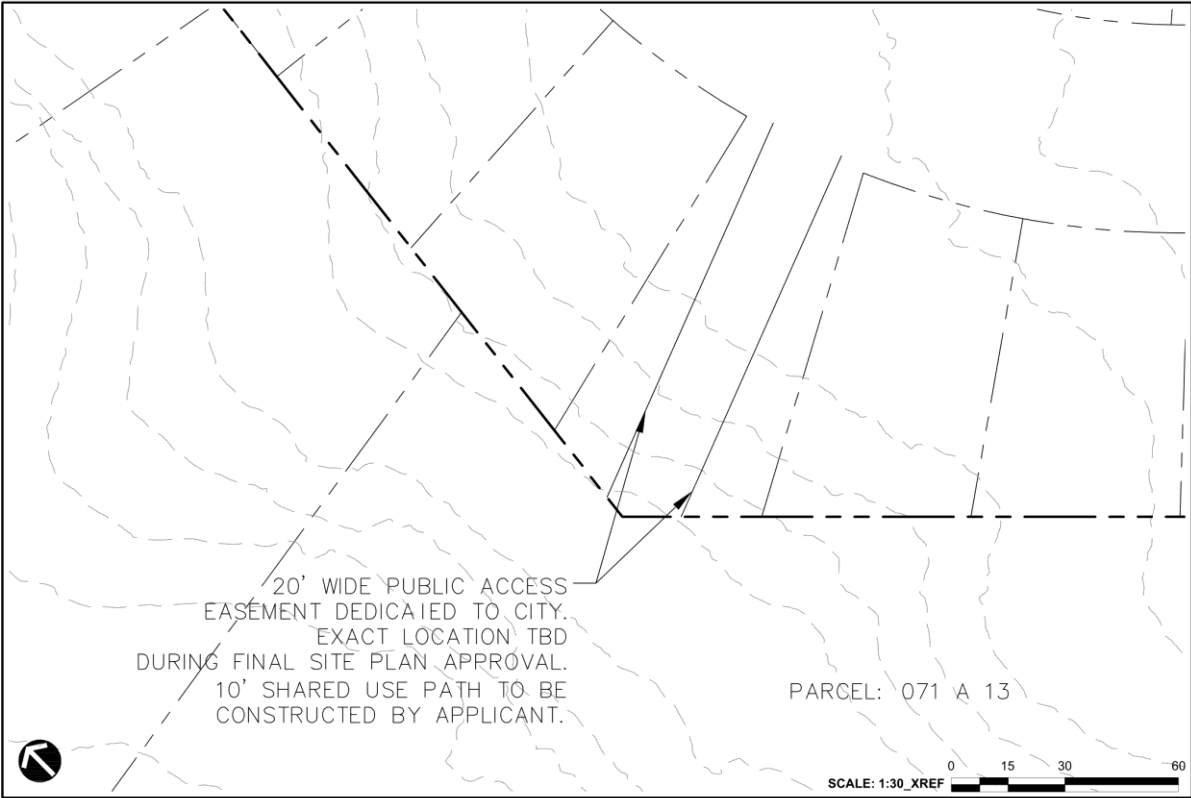
SMITHLAND VILLAGE • HARRRISONBURG, VA • PUBLIC ROW DEDICATION

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LandDesign.

# Exhibit B



SMITHLAND VILLAGE • HARRISONBURG, VA • PUBLIC ACCESS

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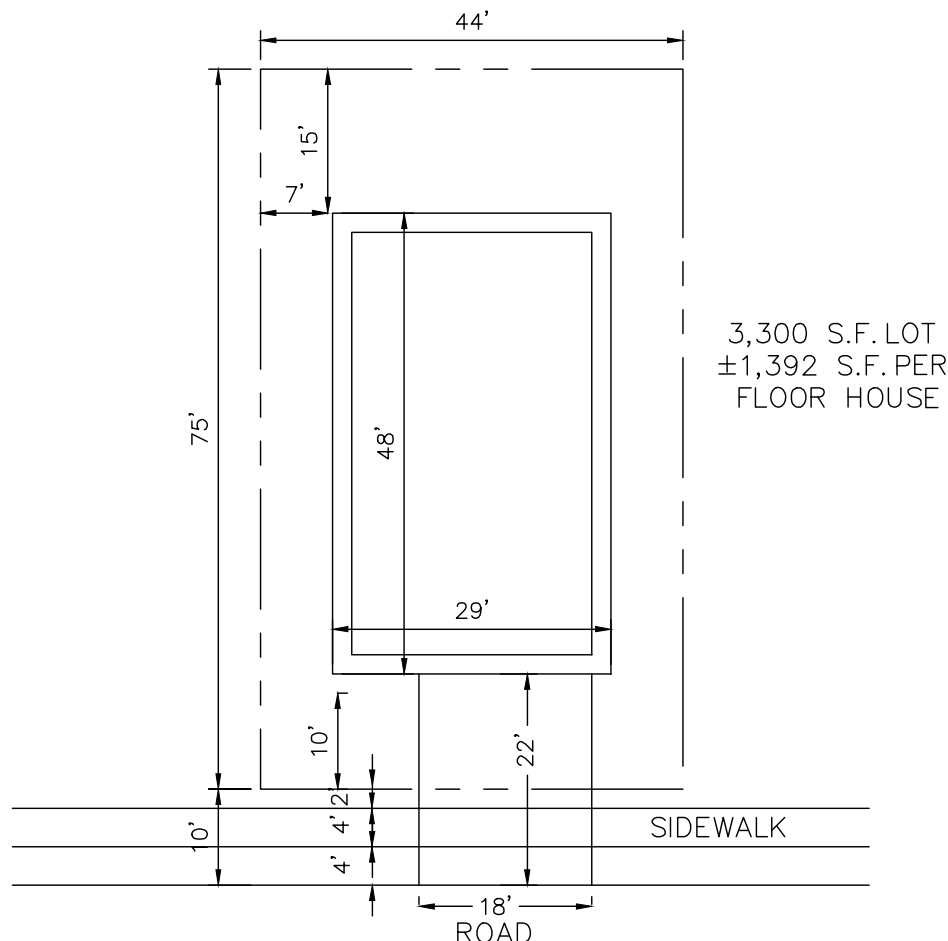
LandDesign.

ZONING INFORMATION

LOCATION: ROCKINGHAM COUNTY, HARRISONBURG, VA				
ZONE: CURRENT R-1, PROPOSED ZONE CHANGE TO R-8 (SMALL LOT RESIDENTIAL DISTRICT)				
USE: SINGLE FAMILY (PERMITTED USE), DUPLEX (PERMITTED USE), TOWNHOUSE (SPECIAL USE PERMIT)				
ITEM #	ITEM	REQUIREMENTS	PROPOSED	VARIANCE
1	MINIMUM LOT AREA	2,800 S.F.	OVERALL LOT = ±9.9 AC. MIN. INDIVIDUAL LOT = 3,300 S.F.	NO
2	MINIMUM LOT WIDTH	35 FEET	44 FEET	NO
3	MINIMUM LOT DEPTH	60 FEET	75 FEET	NO
4	MINIMUM FRONT SETBACK	10 FEET	10 FEET	NO
5	MINIMUM SIDE SETBACK	7 FEET	7 FEET	NO
6	MINIMUM REAR SETBACK	15 FEET	15 FEET	NO
7	MAXIMUM BUILDING HEIGHT	40 FEET/ 3 STORIES	2 STORIES	NO
8	MAXIMUM DENSITY	8-10 UNITS/ ACRE (79 - 99)	45 TOTAL UNITS	NO

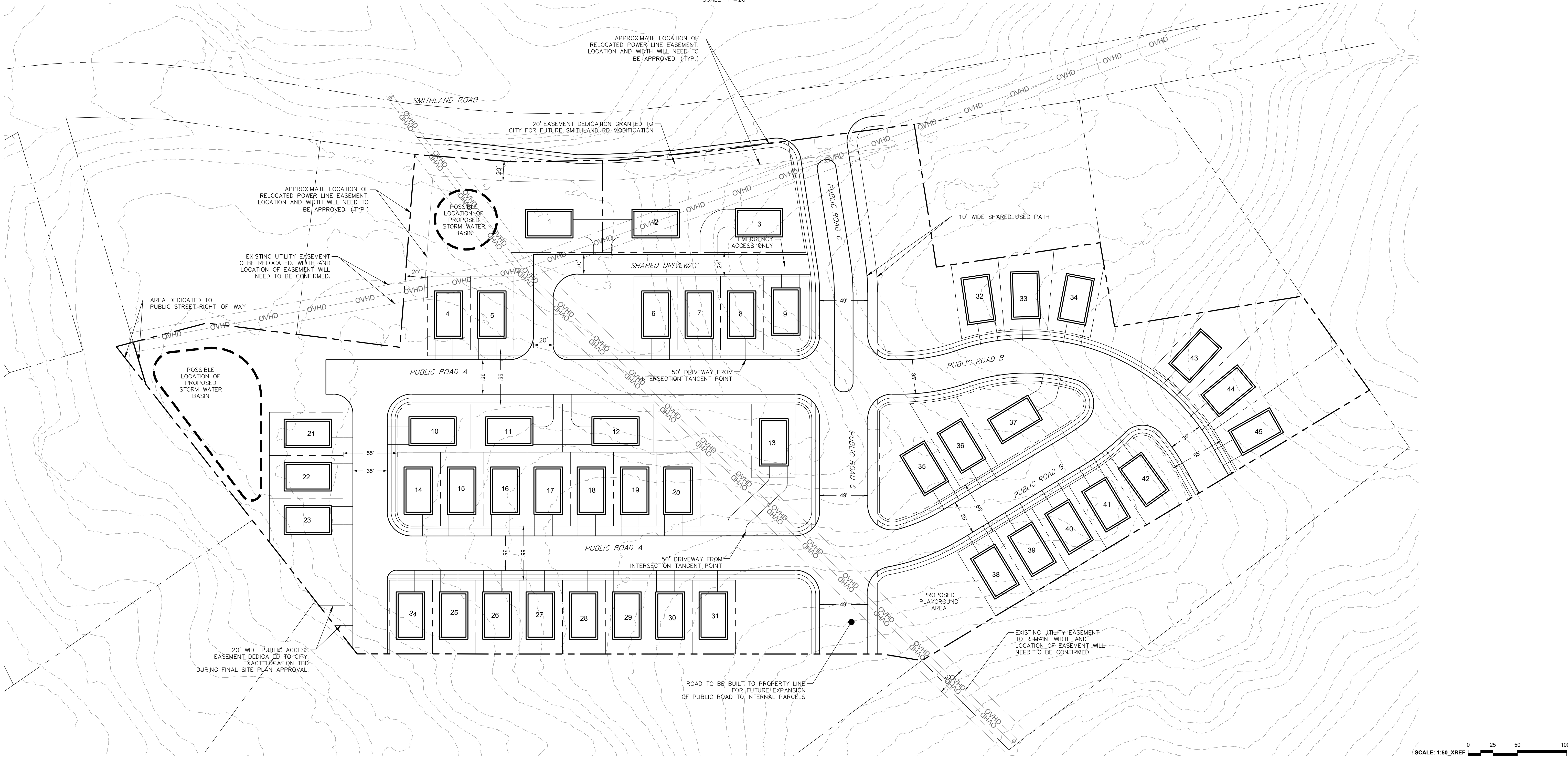
GENERAL NOTES

1. THIS CONCEPT PLAN WAS BASED ON LIMITED DATA. THE LOCATION OF BOUNDARIES, INLAND-WETLANDS, WATERCOURSES, AND RELATED TOPOGRAPHIC DATA WILL BE UPDATED UPON THE PREPARATION OF A DETAILED SURVEY.
2. WITHOUT A SITE VISIT, GRADING AND OTHER SITE CONSTRAINTS ARE NOT KNOWN.
3. A MORE DETAILED INVESTIGATION OF THE LOCAL ZONING REGULATIONS WILL BE REQUIRED.
4. LOT LINES SUBJECT TO FINAL PLATTING AND WILL EXTEND TO PARCEL BOUNDARIES. AREAS NOT CURRENTLY WITHIN LOT LINES ARE NOT INTENDED TO BE LEFT AS COMMON AREAS.



TYPICAL SINGLE-FAMILY LOT AND HOUSE LAYOUT

SCALE: 1"=20'



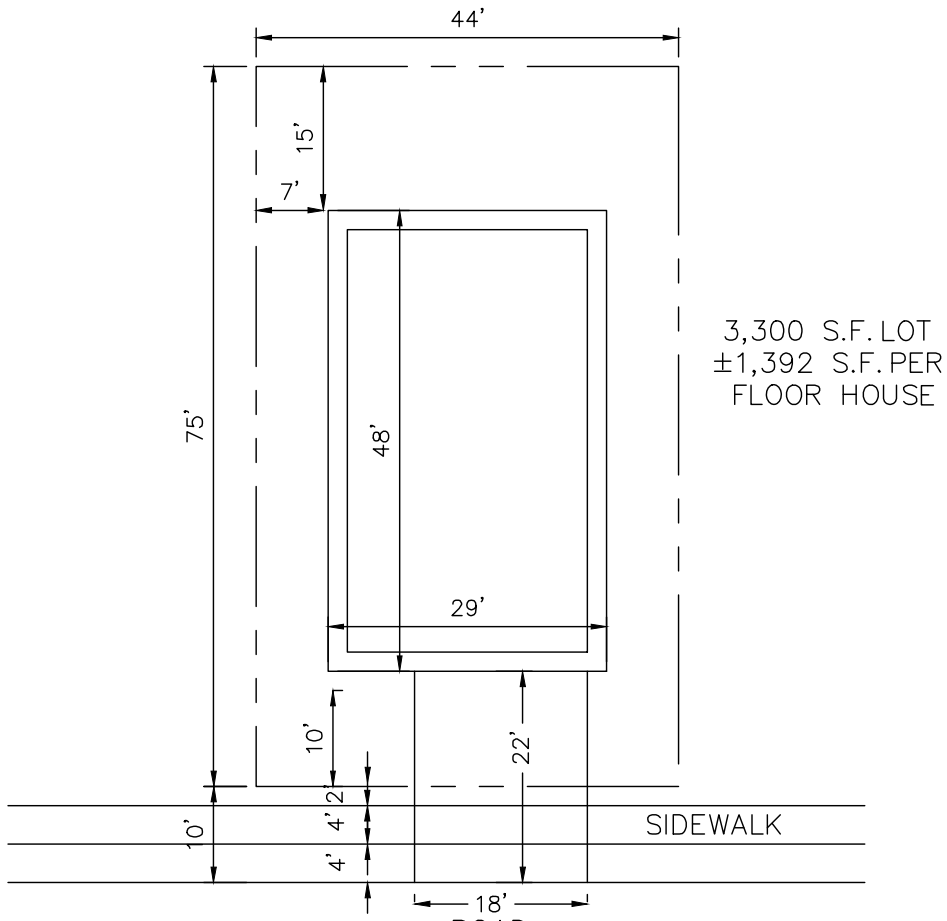
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8	MAXIMUM DENSITY	8-10 UNITS/ ACRE (79 - 99)	47 TOTAL UNITS	NO

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