

PROFFER STATEMENT

RE: KKB, LLC Stone Spring Courtyard R-3C Rezoning Request

Updated August 7, 2012

Rockingham County Rezoning Case No.:

KKB, LLC hereby proffers that the use and development of this property shall be in strict accordance with the following conditions:

1. The community shall have gated access with keypad or other system for entry. Internal parking lot shall be private, with no public maintenance obligations. Fence shall include two access points designated for bicycles and pedestrians; one entrance being on Port Republic Road, and one entrance being on the existing Stone Spring Road.
2. There shall be two entrances to the Property, which shall be constructed according to applicable VDOT requirements. The entrances may vary in location, and scope from what is shown on the attached Plan of Development layout if approved by VDOT and the County as part of site plan approval process.
3. Landscaped areas shall be oriented to provide vegetative buffers to adjoining properties in keeping with sound landscaping practices, as well as the guidelines and limitations imposed by the holders of any easements affecting the property. These Landscaped areas shall be installed within sixty (60) days after issuance of a certificate of occupancy for the first dwelling in the project.
4. Developer shall install a decorative fence with a minimum height of 60" around perimeter of Property for the purpose of providing a physical barrier between the project and residences, roads, and other properties. This fence shall be installed within sixty (60) days after issuance of a certificate of occupancy for the first dwelling in the project.
5. As part of development of the project, Developer shall construct at its expense a ten foot (10') wide, approximately 832' long shared use path along the existing Stone Spring Road as generally shown on the Plan of Development. Indoor bicycle racks shall be provided, with a minimum of one bicycle space provided for every five bedrooms.
6. If requested by Harrisonburg Department of Public Transportation, Developer shall provide a bus stop for the project's residents with the exact location and design of the bus stop coordinated with VDOT and Harrisonburg Department of Public Transportation, and if approved by VDOT, to be located on the existing Spring Road, and constructed according to applicable VDOT requirements.
7. Developer shall provide a School Bus drop-off point along the existing Stone Spring Road with the exact location and design of the drop-off point coordinated with VDOT and Rockingham County School Administration and constructed according to applicable VDOT requirements.

8. As generally shown on the Plan of Development, Developer shall install a Center Turn Lane on the existing Stone Spring Road, providing left turn access to Property. Center Turn Lane shall be a minimum of one hundred fifty feet (150') in length, or constructed to VDOT standards. Center Turn Lane shall begin from the existing Stone Spring Road entrance to Property.
9. As generally shown on the Plan of Development, Developer shall install a Right Turn Lane a minimum of one hundred feet (100') long with one hundred feet (100') taper on the existing Stone Spring Road and according to VDOT standards.
10. The attached Plan of Development showing the proposed roads, parking lots, residences, green areas, and signage shall generally be followed. Adjustments during the design and site plan approval phases may be necessary, but conformity to the Plan of Development shall be materially maintained.
11. The construction shall consist of a series of interconnected, contiguous, framed buildings with upscale veneers, such as faux stone and efis.
12. Any proffers that require improvements to land will be maintained in reasonably good repair at the Developer's expense, except improvements dedicated to and accepted by public agencies.

KKB, LLC hereby proffers that the use and development of this property shall be in strict accordance with the proffered conditions set forth herein and/or depicted on the attached Plan of Development.

Sincerely,

KKB, LLC a Virginia limited liability company

BY: _____

Dain Hammond, Manager