

## PROPOSED PROFFER STATEMENT

REZONING: RZ#  
Planned Development (PD) to Residential District (R-2)

PROPERTY: 39.89 acres +/-  
Tax Parcels #016-((A))-162

APPLICANT: Homewood Retirement Centers, Inc.

PROJECT NAME: Homewood at the Shenandoah Valley

ORIGINAL DATE  
OF PROFFERS: June 17, 2008

REVISION DATA: August 7, 2008  
June 23, 2010  
January 24, 2017

### Preliminary Matters

Pursuant to Section 15.2296 Et. Seq. of the Code of Virginia, 1950, as amended, and the provisions of the Town of Strasburg Zoning Ordinance with respect to conditional zoning, the undersigned Applicant hereby proffers that in the event the Strasburg Town Council shall approve Rezoning Application #\_\_\_\_\_ for the rezoning of 39.89 +/- acres from the Planned Development District (PD) to Residential District (R-2), development of the subject property shall be done in conformity with the terms and conditions set forth herein, except to the extent that such terms and conditions may be subsequently amended or revised by the Applicant and such be approved by the Strasburg Town Council in accordance with the said Code and Zoning Ordinance. In the event that such rezoning is not granted, then these proffers shall be deemed withdrawn and have no effect whatsoever. These proffers shall be binding upon this Applicant and their legal successors, heirs, or assigns.

This proposed amendment to the proffers date June 23<sup>rd</sup>, 2010 shall only apply to the tax parcel listed above, and the resulting land in the event of a subdivision. All other parcels that were originally effected by the rezoning and resulting proffers (dated June 23<sup>rd</sup>, 2010) are still required to comply with the original proffer statement.

The term "Applicant" as referenced herein shall include within its meaning all future owners and successors in interest. The final plat for this subdivision, if approved, shall serve as the guiding figure as it relates to these proffers.

A. Land Use

1. Residential development on the property shall not exceed 39 dwelling units. The type of development shall be in accordance with what is allowed under the Medium Density Residential zoning district, as set forth in the most recent version of the Unified Development Ordinance.
2. Applicant agrees to prohibit construction of townhouses for this development.
3. Applicant will work with appropriate state officials to create a conservation easement along Cedar Creek in areas of floodplain significance.

B. Site Development

1. All buildings within the development on the property shall be constructed using compatible architectural styles and materials, and signage for such buildings shall be of a similar style and material in order to maintain a unified development plan.
2. A five (5) foot wide natural surfaced nature observation pedestrian trail shall be provided within an easement ten (10) foot in width in the vicinity of Cedar Creek.

C. Transportation

1. The Applicant shall make the necessary improvements to existing Route 825 (Hite Lane) to access the Property within acceptable levels of service, as determined by the TIA and VDOT.
2. The Applicant hereby agrees to incorporate a traffic-calming device near the intersection of the new subdivision road and Route 245 (Fort Bowman Road) to encourage traffic flow resulting from the subject development to access the Hite Lane/U.S. Route 11 intersection.
3. The Applicant agrees to extend Route 825 (Hite Lane) in order to provide adequate ingress/egress to Lot #41, existing pump house, and adjoining parcel identified by Tax Map 25-((A))-179 and terminate the extension with a cul-de-sac or other design approved by the Town of Strasburg.

The conditions proffered above shall be binding upon the heirs, executors, administrators, assigns and successors in the interest of the Applicant. In the event the Strasburg Town Council grants this rezoning and accepts the conditions, the proffered conditions shall apply to land rezoned in addition to other requirements set forth in the Town of Strasburg Code and Unified Development Ordinance.

Respectfully Submitted:

By: \_\_\_\_\_  
Ernest Angell (Homewood Retirement Centers)

Date: \_\_\_\_\_

Commonwealth of Virginia,

City/County of \_\_\_\_\_ To Wit:

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_

20\_\_ by \_\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires \_\_\_\_\_