

REZ-2025-103169

Bacova Development Company LLC



Report Drafted May 1, 2026

This report is prepared by the Henrico County Planning Staff to provide information to the Planning Commission and the Board of Supervisors to assist them in making a decision on this application. It may also be useful to others interested in this land use matter.

<p>Upcoming Public Hearing: Board of Supervisors (May 12, 2026)</p>
<p>Planning Commission Recommendation: Approval (April 9, 2026)</p>
<p>Planning Staff Position: Support with revisions</p>
<p>Magisterial District: Three Chopt</p>
<p>Site Acreage & Location: 9.941 acres on the west line of Pouncey Tract Road, approximately 320' north of its intersection with Kain Road</p>
<p>Parcel GPIN(s): 738-768-8557, 739-767-1691, 739-768-0748, 739-768-0890, 739-768-1321</p>
<p>Applicant (Representative): Bacova Development Company, LLC (Jared Anderson / Andrew M. Condlin)</p>



<p>Proposed Zoning / Use:</p> <ul style="list-style-type: none"> • R-6C General Residence District (Conditional) • A maximum of 74 townhome-style condos for sale
<p>Existing Zoning:</p> <ul style="list-style-type: none"> • A-1 Agricultural District
<p>2026 Future Land Use Designation(s):</p> <ul style="list-style-type: none"> • Suburban Mixed-Use (SMX)

I. Executive Summary

This is a request to rezone 9.941 acres from A-1 Agricultural District to R-6C General Residence District (Conditional) to construct a maximum of 74 townhome-style residential condominiums intended as an extension of the larger Bacova community. The site is located on the west line of Pouncey Tract Road, approximately 320' north of its intersection with Kain Road. The application includes proffered commitments with a concept plan and architectural renderings summarized in Section II below.

The 2026 Comprehensive Plan designates the subject property Suburban Mixed Use (SMX), which encourages unified development with a variety of housing types. When combined with other residential development within the Bacova community, the proposed use and density of 7.44 units per acre would generally be consistent with the SMX designation (recommended as 4.0 un/ac) and the residential development pattern of the area. Proffered conditions would also provide a level of quality similar to surrounding development. For these reasons, staff believes the proposed use would be appropriate in this location; however, Section IV of this report includes a summary of items to be addressed for staff to fully support the request.

The Planning Commission recommended approval of the request at their April 9, 2026 meeting.

II. Proposal Details

The site consists of five wooded, undeveloped, A-1 zoned parcels on the west line of Pouncey Tract Road, between Kain Road and N. Gayton Road. As illustrated on the proffered concept plan and architectural exhibits, the applicant proposes a conditional rezoning to R-6C for a townhome-style residential condominium development with a maximum of 74 dwelling units to be part of the larger Bacova residential community. This would reflect a density of 7.44 units per acre, which is within the threshold of the 12 units per acre maximum allowed for townhomes in the R-6 district. The applicant has submitted a commitment letter with a stated goal of pricing at least 25% of the units for individuals and families making 80% - 120% of Henrico County median income.

A total of 16 buildings (3 to 7 units each) are shown on the layout, with each unit having a minimum finished floor area of 2,000 square feet (previously 2,250 sq. ft. in Planning Commission version). End units would be 22' wide and interior units would be 20' wide. Interior private streets would be 26' wide. The primary access would be from Pouncey Tract Road, and a potential second point of entry would be provided to the north through the Bacova Village residential condominium community, pending private agreement with the owner's association (per concept plan note). A possible future westward vehicular connection is also indicated.

As indicated by the building elevations and the sidewalk and driveway locations on the layout, each condo unit may have a rear-loaded garage served by a rear driveway with exterior parking spaces. To meet parking requirements, individual driveways would need to accommodate two 18' x 9' parking spaces, exclusive of sidewalks and easements. The renderings depict buildings with ample windows on all sides, roofline variations, façade articulation, textured siding material, front and rear landscape islands to visually separate each lot, third-floor balconies on the front and rear for some units, and second-floor exterior patios on the front and rear of all units (atop the front-door entry foyer and above the garage). All condos along the site's eastern perimeter are shown as having their front entrance facing Pouncey Tract Road.

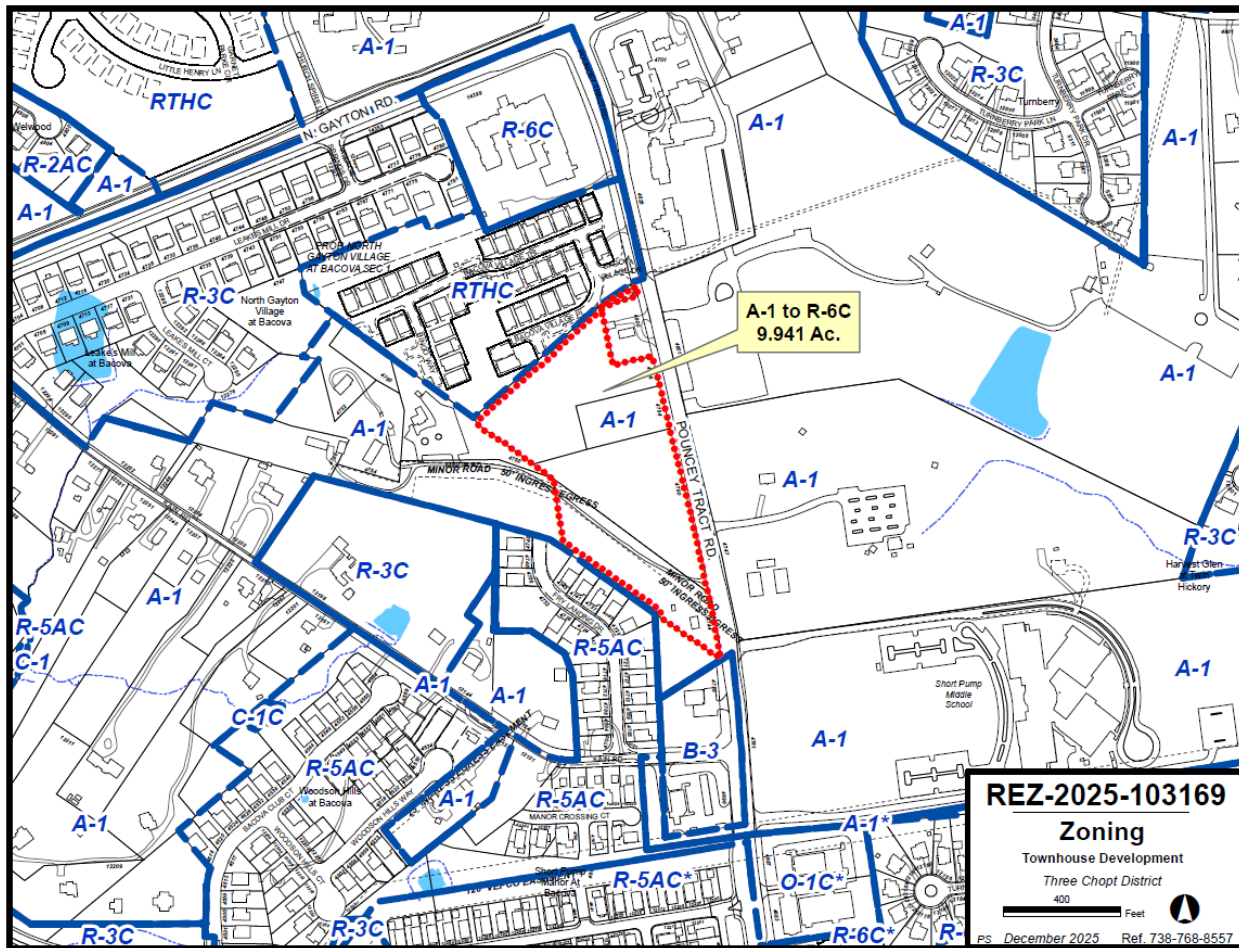
Other features on the concept plan include: a $\frac{3}{4}$ -acre wetland area (to be partially impacted), three stormwater management ponds, 22 guest parking spaces, and perimeter landscape buffers (Transitional Buffer 35 with adjacent sidewalk along most of the Pouncey Tract Road frontage, and Transitional Buffer 10 adjacent to R-5AC and A-1 properties).

Summary of Proposed Proffers:

- **Concept Plan** – to be developed in general conformance with a concept plan;
- **Density** – maximum density of 74 townhomes (7.44 un/ac);
- **Architecture** – all rear walls and end unit side walls to have at least 2 windows, no more than 7 dwelling units per building, buildings constructed in general conformance with a series of front, rear, and side exterior renderings of 4-story townhome-style structures;
- **Building Orientation** – the easternmost row of buildings would be oriented with fronts facing Pouncey Tract;
- **Home Size** – each townhome to have a minimum finished floor area of 2,000 square feet;
- **Building Materials** – exterior materials to be one or a combination of brick, brick veneer, stone, stone veneer, hardi-plank;
- **Foundation Materials & Planting** – to be planted according to zoning code Section 24-5309, and exposed foundation surfaces below the first-floor level on fronts, sides, and rears to be finished with a minimum of 12 inches of brick, brick veneer, stone, stone veneer, cultured stone;
- **Sidewalks** – 4-foot-wide sidewalk on one side of interior streets, and a 5-foot wide sidewalk along Pouncey Tract Road;
- **Lighting** – uniform residential-scale lighting consistent with Bacova Village to the north to be provided throughout the property;
- **Protective Covenants** – to be recorded, establishing HOA and rules, including a prohibition on boat / boat trailer / RV parking;
- **Buffer and Landscaping** – Transitional Buffer 35 with a berm and fencing to be provided along the site's Pouncey Tract Road frontage and consistent with the existing buffer along the roadway, and a Transitional Buffer 10 adjacent to R-5AC and A-1 zoned properties;
- **Road Standards** – private interior roads to be constructed to County standards (except for pavement width, turning radii, cul-du-sac dimensions, curb type, and underdrains);
- **Driveways** – constructed of exposed aggregate, concrete, brick, stone, asphalt, pre-cast pavers, and maintained by the HOA (including the driveway to the adjacent Minor property);
- **Screening of Alleys** – termination of alleys to be screened from property lines by landscaping and either a building or masonry wall;
- **Hours of Construction** – exterior construction limited to Monday – Friday 7:00a – 7:00p (or dusk if earlier), Saturday 8:00a – 5:00p (or dusk if earlier), and no Sunday construction;
- **Construction Access** – to be only via Pouncey Tract Road;
- **Onsite Amenities** – to include at least two features from a menu of the following options: outdoor furniture, gazebo or pavilion, fire pit, landscape patio, dog park, grilling station, community garden, pet waste station;
- **Use of Recreational Facility** – residents able to use the Bacova recreational facility proffered with case C-9C-11;
- **Other** – Sound Suppression, Entrance Feature, Trash & Recycling, Underground Utilities, Severance

III. Surrounding Properties & Comprehensive Plan

Surrounding Properties		
	Existing Land Use	Zoning
North	Bacova Village residential condominiums	RTHC
South	Fry's Landing residential subdivision Short Pump Animal Hospital	R-5AC A-1, B-3
East	Single-family residential, Striker Park	A-1
West	Single-family residential	A-1

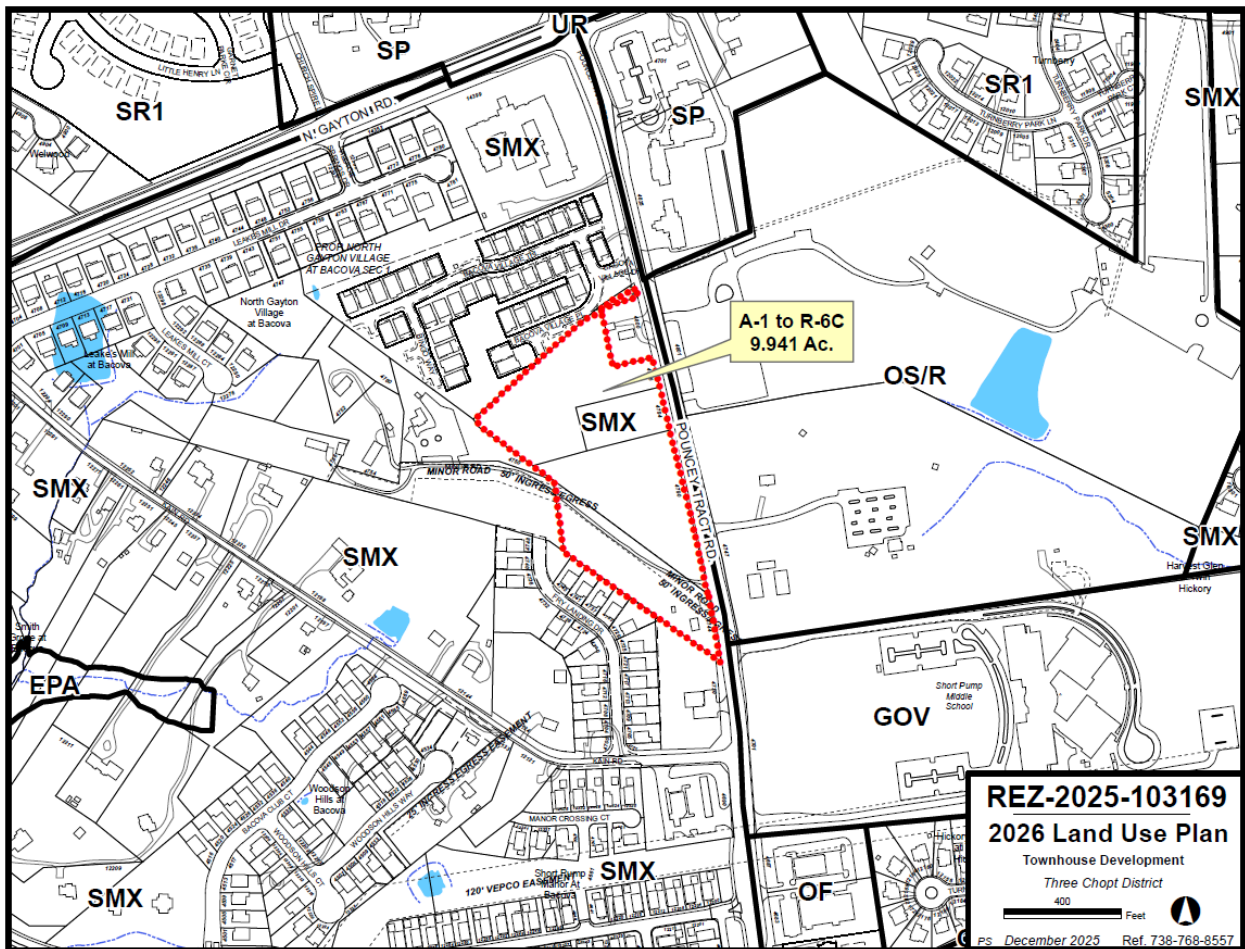


Existing Zoning Districts of the Subject Site and Surrounding Areas

Recommended Future Land Use(s) of Subject Site

Suburban Mixed-Use (SMX)
(recommended gross residential density maximum of 4.0, with variation allowed by section)

Similar in development form to the Suburban Residential areas, Suburban Mixed-Use applies to new and existing areas that are characterized by curvilinear street patterns, moderate density residential areas and other typical suburban development patterns and styles. This designation is intended to allow cohesive development of land under a master plan that creates a community rather than a series of isolated subdivisions. These types of developments are similar to Twin Hickory, Wyndham and Wellesley. The SMX classification encourages unified, high-quality developments that are phased with the provision of necessary infrastructure improvements. A variety of housing types is appropriate in Suburban Mixed-Use communities including detached, single-family homes, attached/semi-attached single-family homes, townhouses, condominiums and zero lot line homes. The overall gross residential densities should not exceed four (4) units per acre in a development but may include a combination of housing types. Residential uses are the priority in a Suburban Mixed-Use community, but a minimum of five percent (5%) of the area should be dedicated to nonresidential uses and should contain both open space/recreation office/service and commercial uses. A minimum of fifteen percent (15%) of the land area in a master-planned SMX community should be dedicated to open space/recreation and/or preservation of significant natural resources.



Future Land Use Designations of of the Subject Site and Surrounding Areas

IV. Consistency with Comprehensive Plan & Evaluation of the Request

Topic	Open Issue(s)
Consistency with Comprehensive Plan	Buffer, interconnectivity, unified development
Site Analysis	Additional property, driveways, foundation landscaping
Transportation Infrastructure	Future access and road connections, pedestrian connections
Schools	ES & HS capacity
Natural Resources & Environment (Water, Soil, Vegetation, Wildlife, Sustainability)	No
Recreation & Cultural / Historic Resources	Better pedestrian connection to off-site amenities
Public Safety (Police & Fire)	No
Public Utilities (Water & Sewer)	No
Community Revitalization	No
Libraries	No

Consistency with Comprehensive Plan

The Comprehensive Plan recommends Suburban Mixed-Use (SMX) which encourages a mixture of residential types with an overall gross density not to exceed four (4) units per acre. This request proposes a density of 7.44 units per acre, which when added to other approved rezonings in the Bacova development area would result in an aggregate gross residential density of 4.91 units per acre. This development pattern combined with preexisting large-acreage single-family properties would be consistent with the SMX designation and would complement existing residential uses in the area.

This request is most consistent with the following Goals, Objectives, and Policies of the 2026 Comprehensive Plan:

- Land Use & Community Character Objective 4: The County will promote developments with features that provide a safe pedestrian environment.
- Land Use & Community Character Objective 9: The County will promote diverse housing types that meet the needs of a demographically diverse population.
- Land Use & Community Character Objective 23: The County will encourage residential growth in areas where the physical conditions are conducive to development, (i.e. soils, drainage, topography).
- Residential Keystone Policy 3: Encourage a variety of compatible housing options. While large, single-family homes are desirable, so are other types of housing which are compatible with the demands of non-traditional families, such as smaller homes or condominiums for young professionals or “empty nesters.” A range of ownership or rental opportunities is also encouraged.

This request is not fully consistent with the following Goals, Objectives, and Policies of the 2026 Comprehensive Plan:

- Land Use & Community Character Objective 7: The County will encourage large-tract, planned development to promote unified and attractive development and a sense of place, rather than piecemeal or incremental development.
- Land Use & Community Character Objective 18: The County will encourage landscaped buffers on lots, in addition to the minimum required setbacks along any boundary which lies adjacent to collector or arterial streets.
- General Development Policy 5: Ensure subdivision and site layouts of new development are planned in consideration of the future use (as recommended by this Plan) of currently undeveloped land in the general vicinity to create interconnected neighborhoods.

Site Design & Compatibility

The Bacova community has developed in phases over the past 15 years with a variety of residential options (apartments, detached single-family, zero-lot-line homes, senior living, and townhome-style condominiums), but each addition has been made with interconnectivity and unified design concepts in mind. This includes shared amenities and a level of consistency in features such as exterior lighting, community signage, and perimeter landscape buffers. The proposed condominiums would generally be in keeping with this development pattern, and the request would be largely consistent with the area's established level of residential quality; however, the applicant is encouraged to address the items below to clarify several design and quality aspects of the request and further strengthen compatibility with surrounding development.

- **Additional Property** – To avoid future site design issues, reduce points of access on Pouncey Tract, provide for a consistent perimeter landscape buffer, and avoid piecemeal development between two residential neighborhoods, the applicant should include the 0.88-acre rectangular parcel adjacent to the site's northeast corner (GPIN 739-768-0778);
- **Driveways** – The architectural renderings show what appears to be a paved driveway in front of each unit, which is inconsistent with the conceptual layout with pedestrian walks and landscaped areas along front façades. This should be clarified to better understand visual impacts and the extent of impervious surface;
- **Foundation Plantings** – The conceptual building renderings illustrate substantial planting islands to visually separate each unit and provide relief from what would otherwise be a continuous paved surface along the front and rear of each building. The side rendering also illustrates attractive foundation plantings. The applicant is encouraged to ensure these features are provided similar to what is illustrated in this highly visible location.

Transportation Infrastructure (Car / Pedestrian / Bicycle)

- **Cross Access & Future Road Connections** – Proffers should provide assurances of northward access to Bacova Village (via cross access agreement) and the indicated connection to a potential future road to the west;
- **Pedestrian Connections** – In keeping with the SMX recommendations, the applicant should consider ensuring the extension of sidewalks in two additional locations – 1) westward extensions from the sidewalks around Building 11 and Roads C & D to provide connection to the Fry Landing cul-de-sac and points southward; 2) westward extension of the sidewalk along the south line of Road A to provide future connection to Fry Landing Drive;

- **Traffic Engineering –**

- The following is the approximate number of new trips expected by the proposed development of 74 Multi-Family (Mid-Rise) Units (ITE Code 215): Total weekday trips = 486 (243 out, 243 in);
- A 5' wide sidewalk meeting VDOT standards should be provided along Pouncey Tract Road.

Schools

This rezoning case proposes the development of up to 74 townhouse residential units.

School Level	School Name	2025 Membership	Functional Capacity	Total Student Yields
Elementary	Colonial Trail	730	734	14.8
Middle	Short Pump	1,073	1,238	8.1
High	Deep Run	1,873	1,850	10.7
<i>* At Development Buildout</i>		Total Students:		24.5

Based on September 30, 2025, membership and capacity figures shown above, Colonial Trail Elementary is currently at 99.5% capacity. The analysis shown above indicates the proposed development would potentially yield an additional 14.8 elementary students once the development has reached complete build out. Colonial Trail Elementary has steadily increased in enrollment in recent years. This elementary school is scheduled to have a learning cottage placed on campus for SY2026-27 to assist with capacity relief measures. With this proposed development and others in the Three Chopt magisterial district, additional capacity relief measures will need to be considered, such as: redistricting, additional learning cottages, programmatic adjustments, and capital improvement projects.

Short Pump Middle is currently at 86.7% capacity. The analysis shown above indicates the proposed development would potentially yield 8.1 additional middle school students. Short Pump Middle is not currently in danger of being over capacity and is not projected to become over capacity in the next five years. However, with this proposed development and others occurring in the Three Chopt magisterial district, monitoring for enrollment shifts will be necessary.

Deep Run High is currently at 101.2% capacity. The analysis shown above indicates the proposed development would potentially yield an additional 10.7 high school students. Deep Run High has had a recent history of consistently being at or over 100% capacity. While programming assists with capacity relief on Day 1 and Day 2, this proposed development and others in the Three Chopt magisterial district will necessitate other capacity relief measures to be considered. Capacity relief measures would include options such as redistricting, learning cottages, programmatic adjustments, and capital improvement projects.

Natural Resources & Environment

Water & Soil

All proposed improvements must comply with all applicable Public Works plan of development requirements. Land disturbance greater than 2,500 square feet will require an Environmental Compliance Plan. The site must comply with applicable stormwater quality and quantity requirements. Analyze and provide solutions to minimize drainage impacts on downstream properties.

Based on GIS measurements of the conceptual plan, the site contains approximately $\frac{3}{4}$ acre of wetlands, a portion of which would be impacted. Three stormwater management ponds are also indicated on the layout.

Other Recommendations:

- Encourage the incorporation of innovative stormwater features, such as bioretention areas, rain gardens, bioswales, permeable pavements or other appropriate stormwater infiltration, to supplement the three proposed stormwater management ponds and further improve on-site water quality;
- Promote the use of native and deep-rooted vegetation within and around the stormwater facilities to enhance ecosystem services including pollutant uptake and erosion reduction;
- Evaluate opportunities to reduce impervious surface area, especially in parking and driveway areas, to further limit runoff volume and improve infiltration.

Vegetation & Wildlife

To provide natural buffering and reduce overall impervious paved surface, the applicant is encouraged to minimize tree clearing at the site's southeastern corner and replace the proposed cul-du-sac with a smaller turn-around area.

Other Recommendations:

- Encourage the use of native plantings throughout the site (particularly within buffers, common areas, and stormwater areas) to support local wildlife habitat, reduce long-term maintenance needs, and improve ecological resilience. Using native plants in landscaping will also provide food and shelter for local wildlife, promoting biodiversity;
- Incorporate layered pollinator-friendly plantings where feasible especially along the Pouncey Tract Road frontage, the Transitional Buffer 10 adjacent to A-1 properties, and within internal common areas;
- Preserve existing mature trees where possible and supplement with canopy trees to maintain shade, reduce heat island effects, and enhance neighborhood character;
- Use vegetation or vegetated structures to shade HVAC units;
- Provide a fenced, centrally located community garden space for residents, for urban gardening purposes, at a ratio of 50 square feet per dwelling unit.

Sustainability & Resilience

To better address environmental changes and support long-term ecological health, the proposed design may benefit from additional sustainability and resilience measures such as:

- Reserve and stripe EV ready spaces in common areas and install an initial number of chargers, with conduit sized for future expansion;
- Provide bicycle parking to promote alternative modes of transportation;
- Encourage designing roof structures to be solar-ready;
- Use light colored paving materials where feasible and increase canopy trees along internal streets and parking areas;
- Consider incorporating sustainability-focused guidelines within the HOA's protective covenants, such as encouraging water-efficient landscaping or responsible fertilizer use;
- Optimize building orientation and window openability and placement to maximize natural daylighting to reduce energy demand without modifying building footprints or architectural character and allow for natural ventilation in the event of power failures;
- Provide a minimum of one on-site composting station for every 25 residential dwelling units (3 for this site).

Recreation & Cultural / Historic Resources

- **Recreation & Parks** – No park or recreation facilities, historical, archeological or battlefield impact.

Other Recommendations:

- The pedestrian linkages detailed in the Transportation section above should be included to provide easier access to the Bacova clubhouse and pool to the south;

Public Safety

Division of Police – No comments.

Division of Fire – No comments.

Public Utilities (Water & Sewer)

There is an existing 30” waterline located in Pouncey Tract Road. There is an existing 8” sewer line in Fry Landing Drive south of the property. An off-site extension of sanitary sewer line of approximately 100 feet will be required.

Community Revitalization

No comments.

Libraries

This request falls within the service area of the Twin Hickory Area library that was part of the 2000 bond referendum. Presently this 40,000 square foot facility, opened in July 2007, offers expanded meeting, study, and conference room space; digital media lab; enhanced children’s and teens’ space plus drive-up pickup/drop off services. As these types of developments continue to be built and the population in the area continues to grow, Twin Hickory Are Library can meet the increased service demands.

V. Conditional Zoning Decision Standards

The advisability of a conditional zoning is a matter committed to the legislative discretion of the Board of Supervisors. In determining whether to adopt or disapprove a conditional zoning the Board of Supervisors may consider many factors consistent with the Code of Virginia, including whether and to what extent the proposed amendment:

Factor for Consideration	Proposal Meets
Is consistent with the goals and policies of the comprehensive plan and other applicable County adopted plans and planning documents.	Yes, if recommended items in Section IV are addressed
Fulfills any other appropriate land use or zoning purposes or any other relevant purpose permitted by law.	Yes
Is not in conflict with any provision of this Ordinance, the County Code, and the Code of Virginia.	Yes
Is required by the public necessity, convenience, general welfare, or good zoning practice.	Yes

VI. Case Chronology

Event	Date	Notes
Community Meeting	March 25, 2026	approximately 10 citizens attended – topics discussed: vehicular connections to adjacent properties, construction access, traffic, environmental impact study, perimeter tree preservation, Pouncey Tract pedestrian lighting, amenities, price point of units
Planning Commission Hearing	April 9, 2026	Recommended for approval
Board of Supervisors	May 12, 2026	Pending



Proffers for Conditional Rezoning

County of Henrico, Virginia

4301 E. Parham Road, Henrico, Virginia 23228

Henrico Planning Web Site: <http://www.henrico.us/planning>

Mailing Address: Planning Department, P.O. Box 90775, Henrico, VA 23273-0775 Phone (804) 501-4602

Facsimile (804) 501-4379

Original Amended

Rezoning Case No. REZ-2025-103169

Magisterial District Three Chopt

Pursuant to Section 24-2304 of the County Code, the owner or duly authorized agent* hereby voluntarily proffers the following conditions which shall be applicable to the property, if rezoned:

Andrew M. Conditin
Signature of Owner or Applicant / Print Name

4/29/26
Date

*if applicant is other than Owner, the Special Limited Power of Attorney must be submitted with this application

REZ-2025-103169

April 29, 2026

1. **Concept Plan.** The Property must be developed in general conformance with the concept plan entitled "4810, 4796, 4794 , 4744 AND 4790 POUNCEY TRACT ROAD" prepared by Youngblood, Tyler & Associates P.C. dated April 27, 2026 (see case file) and attached hereto (the "Concept Plan"). The exact locations, footprints, configurations, size, and details of the lots, drives, roads, buildings and other improvements shown on the Concept Plan are illustrative and are subject to change and may be updated from time to time as required for final engineering design, compliance with governmental regulations or as otherwise approved at the time of subdivision or plan of development review of the Property.
2. **Density.** There must be no more than 74 dwelling units developed on the Property.
3. **Architecture.** To minimize visual repetition of buildings, no two adjacent buildings must have the same identical individual elevation sequence pattern across the front of the building. All dwelling units must have a front porch or stoop. The side of each end unit must include at least two (2) windows and the rear of each dwelling unit must include at least two (2) windows. Each building must be no more than seven (7) units wide. Dwelling Units must be similar to the style and design and generally in conformance with the renderings entitled "Pouncey Tract Residential Condominium Elevations" prepared for Bacova Development Company, LLC and dated March 19, 2026, unless otherwise approved at the time of plan of development review (the "Elevations").
4. **Home Size.** Any dwelling unit constructed on the Property must have a minimum of 2,000 square feet of finished floor area.



Proffers for Conditional Rezoning (Supplemental)

County of Henrico, Virginia

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5. **Building Materials.** All buildings on the Property must have exposed exterior walls (above grade and exclusive of trim) of brick, brick veneer, stone, stone veneer, hardi-plank, or a combination of the foregoing, all as generally shown on the Elevations, unless different architectural treatment and/or materials are specifically approved with respect to the exposed portion of any such wall, at the time of Plan of Development review.
6. **Foundations.** The exposed exterior portions of all foundations below the first floor level must be finished with brick, brick veneer, stone, stone veneer, or cultured stone. On the front, side and rear elevations of each building, there must be a minimum of twelve (12) inches of brick, brick veneer, stone, stone veneer, or cultured stone visible above grade. For reasons associated with the required site grading, the requirements of this proffer may be modified or waived by the Director or Planning for individual side or rear façades.
7. **Building Orientation.** The easternmost buildings on the Property along Pouncey Tract Road must have front building façades and entrances facing Pouncey Tract Road.
8. **Sound Suppression Measures.** Shared walls between dwelling units must be constructed with a minimum certified sound transmission class (STC) of fifty-four (54). A cross-section detail, reviewed and approved by a certified architect or engineer as to the methodology accomplishing the STC, must be included in the building permit application.
9. **Foundation Planting.** Foundation plantings must be provided pursuant to Section 24-5309 of the County Zoning Ordinance.
10. **Sidewalks.** A sidewalk a minimum of four (4) feet in width must be provided on at least one side of each street. A sidewalk a minimum of five (5) feet in width must be installed or refurbished in or adjacent to the right-of-way for Pouncey Tract Road parallel to the boundary line of the Property, unless otherwise prohibited by law or government regulation.
11. **Entrance Feature.** An entrance feature from Pouncey Tract Road into the Property must be constructed of either full standard brick or stone or a combination thereof consistent with the signage as required from Case C-9C-11.



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12. **Lighting**. Uniform pedestrian scale residential lighting must be provided within the streets or lots within the Property. Such lighting must be nonglare and decorative in style similar to the lighting provided as part of REZ2021-00015. A lighting plan providing for such lighting must be submitted and reviewed at the time of Plan of Development or subdivision review of the Property.
13. **Trash and Recycling**. There must be no central trash or recycling receptacles.
14. **Heating Ventilation and Air Conditioning (HVAC) Units**. Heating ventilation and air conditioning equipment must be screened from the property lines at ground level by landscaping or low maintenance material, as approved by the Planning Department.
15. **Protective Covenants**. Prior to or concurrent with the final approval of the initial subdivision or plan of development for the Property, a document setting forth covenants (the "Covenants") must be recorded in the Clerk's Office of the Circuit Court of Henrico County, Virginia, setting forth controls on the development and maintenance of the Property and establishing an owners' association (the "Association"). The Association may be a part of a larger association encompassing more property than just the Property. The Covenants must provide for high standards of uniform maintenance of individual sites, common areas, open space, landscaping and private streets. The Association must establish uniform rules related to the standards for approval by the Association of improvements within the Property, including, but not limited to, construction of any buildings and other structures and signage. The Covenants must also prohibit boat, boat trailer and recreational vehicle storage on the Property.
16. **Buffer and Landscaping Requirements**. Any buffer within the Property required herein must be natural and landscaped and may include supplemental plantings, utilities, berms and/or fencing and other purposes as approved at the time of landscape plan review. Roads, sidewalks, utility easements (including drainage), common owned fencing/walls adjacent to any roads or drives, and signage must be permitted within such buffer; provided, any such road or new utility easements must be extended generally perpendicular through such buffer unless otherwise approved at the time of subdivision or plan of development review. All buffers, whether in common area or a lot, must be maintained by the Association



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- a. **Pouncey Tract Road Buffer.** The area of the Property fronting on Pouncey Tract Road and shown on the Concept Plan as "35' BUFFER" must be planted at a minimum to the level of a transitional buffer 35. The buffer must include fencing and berms, similar to the plans depicted on Exhibits 9 & 10 from case C-9C-11 (see case file), subject to revision as approved at the time of subdivision and/or Plan of Development review.
 - b. **Rear Yard Setback.** The areas of the Property adjacent to Agricultural (A-1) zoned properties and shown on the concept plan as "30' Rear Yard Setback" must be planted at a minimum to the level of transitional buffer 10.
17. **Road Standards.** Prior to the issuance of any final Certificate of Occupancy, the applicant must provide the Planning Department with certification from a licensed engineer that the roadways within the project were constructed according to the approved plan of development, and in compliance with Henrico County road design standards and specifications (except as to pavement width, turning radii, cul-de-sac dimensions, curb type, and underdrains), to include proper compaction of the sub-base soils, utility trenches, base stone, and asphalt surface. The internal roadways must be private and must be maintained by the Association.
18. **Driveways.** All driveways must be constructed of exposed aggregate, concrete, stone, asphalt, pre-cast pavers or other similar materials approved by the Director of Planning. The termination of any alleys must be screened from view at the adjoining boundary line by landscaping and either a building or masonry wall as required at the time of Plan of Development review. All driveways, including the "Minor Driveway Connection" as shown on the Concept Plan, must be maintained by the Association.
19. **Hours of Construction.** The hours of exterior construction (such as earth moving, grading or land clearing activities) including operation of bulldozers and other earthmoving equipment, must be between 7:00 a.m. and 7:00 p.m. (or dusk, whichever occurs first), Monday through Friday, and 8:00 a.m. and 5:00 p.m. (or dusk, whichever occurs first) on Saturday, and no construction must be permitted on Sunday, except in emergencies or where unusual circumstances require extending the specific hours in order to complete work such as concrete pours or utility connections. Signs, in both English and Spanish, stating the above referenced provisions must be posted and maintained at all entrances to the Property prior to any land disturbances activities thereon.



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4301 E. Parham Road, Henrico, Virginia 23228

Henrico Planning Web Site: <http://www.co.henrico.va.us/planning>

Mailing Address: Planning Department, P.O. Box 90775, Henrico, VA 23273-0775

Phone (804) 501-4602

Facsimile (804) 501-4379

20. **Construction Access.** Construction traffic must only enter and exit the Property at access points off of Pouncey Tract Road.
21. **Underground Utility Lines.** All proposed utility lines on the Property must be installed underground, except for existing utilities, junction boxes, meters, utility lines in wetlands areas, and utility lines or structures required to be or typically installed above ground by the utility company.
22. **Amenities.** Recreational amenities will include, at minimum, gathering or open areas, as generally shown on the Concept Plan as "Pocket Park", unless otherwise approved at the time of subdivision review. A minimum of two (2) of the following improvements will be provided within the Pocket Park: one or more benches or other outdoor furniture, a gazebo or pavilion, fire pit, landscape patio area, dog park, grilling station, community garden, pet waste station or other similar improvements as approved at the time of subdivision review.
23. **Recreational Facility.** All residents must have the right to use, subject to reasonable rules and regulations, the recreational facility provided as part of Case C-9C-11, subject to the Bacova Property Owners Association.
24. **Severance.** The unenforceability, elimination, revision or amendment of any proffer set forth herein, in whole or in part, must not affect the validity or enforceability of the other proffers or the unaffected part of any such proffer.

Pouncey Tract Residential Condominium Elevations

March 19, 2026



FRONT VIEW

REZ-2025-103169



REAR VIEW

REZ-2025-103169



SIDE AERIAL VIEW

REZ-2025-103169

March 24, 2026

VIA ELECTRONIC MAIL

Henrico County Planning Department
R. Joseph Emerson, Director of Planning
4301 East Parham Road
Henrico, VA 23228

Andrew M. Condlin
Richmond Office
(804) 977-3373 (direct)
acondlin@rothjackson.com

RE: 4790 Pouncey Tract – REZ-2025-103169

Dear Mr. Emerson:

On behalf of the applicant for the above case, we provide the following commitment related to affordable dwelling units. As part of the overall development, a minimum of twenty-five (25%) of the total number of dwelling units developed on the Property will be reserved for households (individuals or families) with annual income between eighty percent (80%) of the area median income (AMI) and one hundred twenty percent (120%) of the area median income for Henrico County, Virginia, as determined by the Virginia Department of Housing and Community Development at the time of the first sale of that dwelling unit. For each such dwelling unit, a deed restriction will remain in effect for a period of thirty (30) years commencing on the date the first sale is recorded in the Circuit Court Clerk's Office of Henrico County, Virginia, requiring that each subsequent purchase remain an affordable sales price of no greater than one hundred twenty (120%) of AMI, as determined above, at the time of sale.

Please let me know if you have any questions.

Sincerely,



Andrew M. Condlin

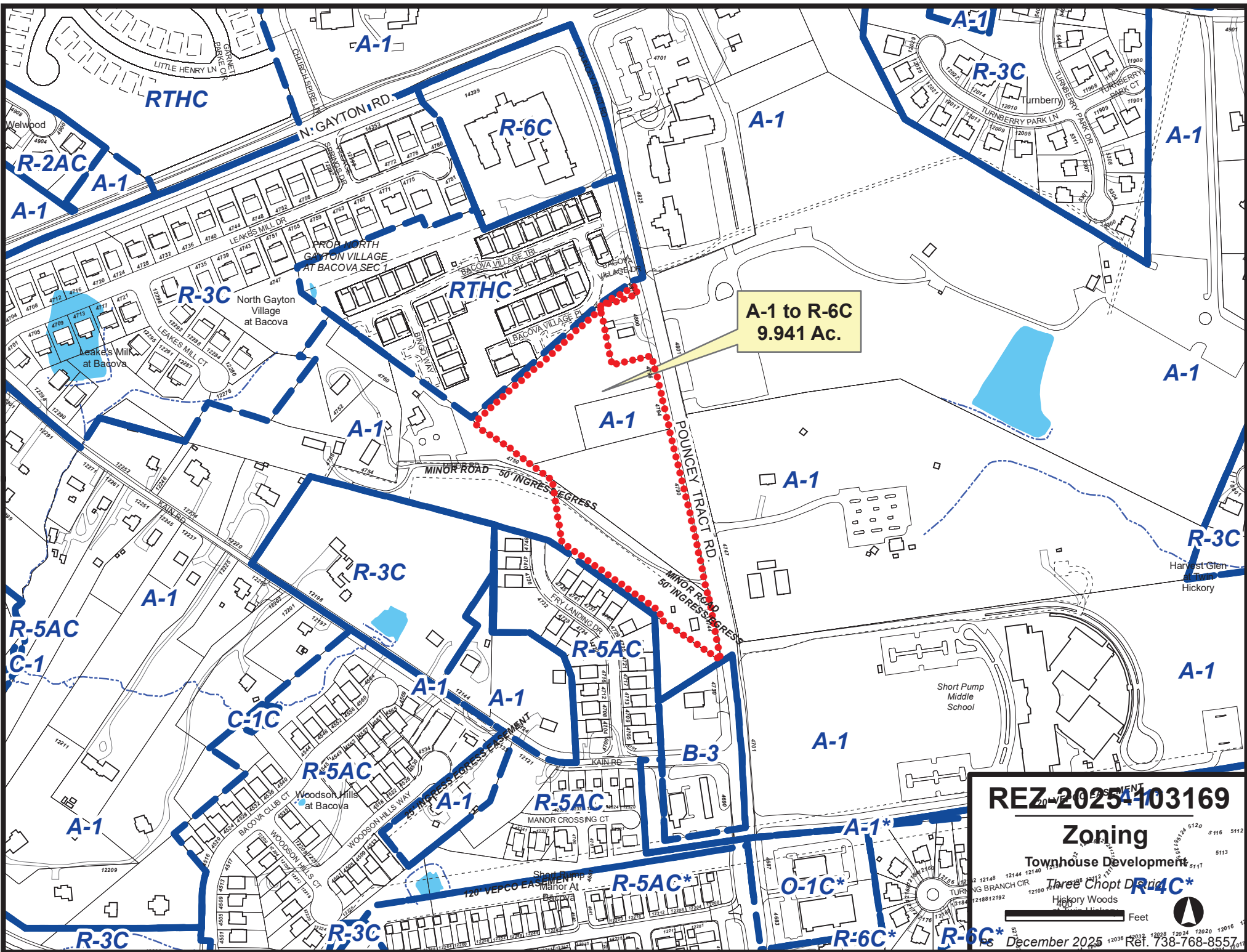
cc: Bacova Development Company, LLC

RICHMOND

1519 Summit Avenue, Suite 102, Richmond, VA 23230
P: 804-441-8440 F: 804-441-8438

TYSONS CORNER

8200 Greensboro Drive, Suite 820, McLean, VA 22102
P: 703-485-3535 F: 703-485-3525



A-1 to R-6C
9.941 Ac.

REZ 20254103169

Zoning

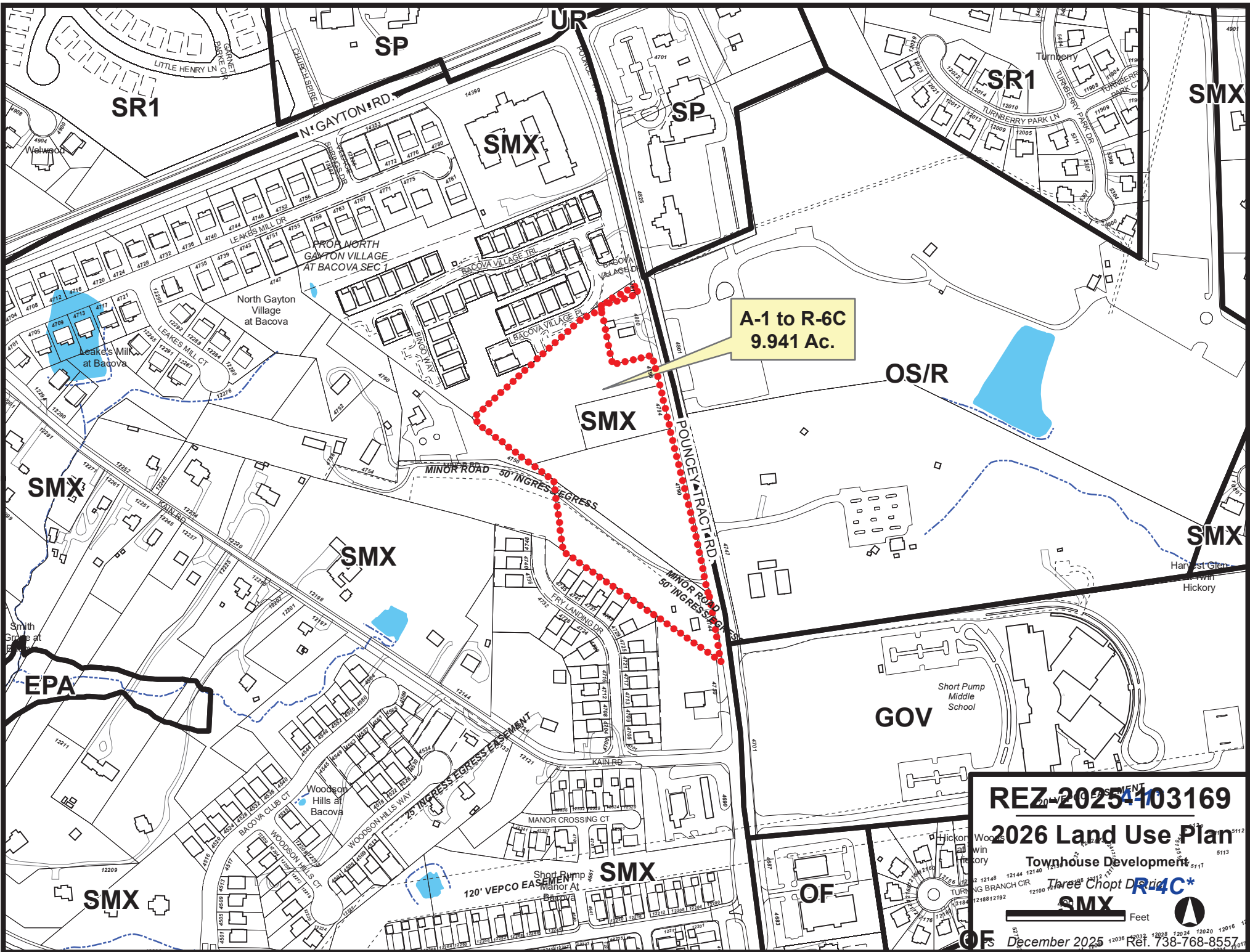
Townhouse Development

Three Chopt Dr. R-6C*

Hickory Woods

Scale: 1" = 100 Feet

December 2025 Ref. 738-768-8557



**A-1 to R-6C
9.941 Ac.**

REZ-2025-103169

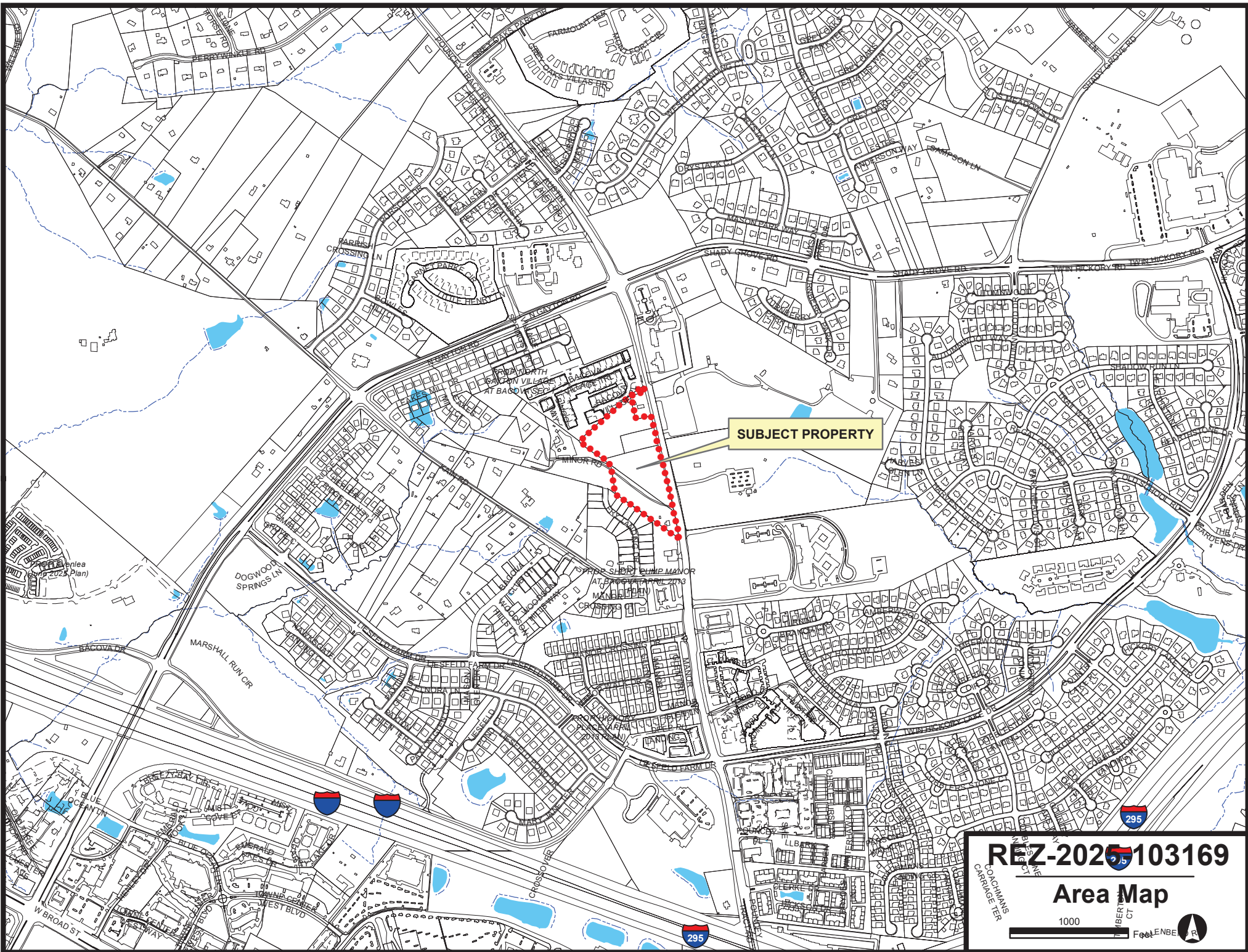
2026 Land Use Plan

Townhouse Development

Tree Chopt Road

SMX

December 2025 Ref. 738-768-8557



SUBJECT PROPERTY

REZ-2025-103169

Area Map

1000

COACHMAN'S
CHURCH TER

